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Senate

EXPRESSING OPPOSITION OF CONGRESS TO PRESIDENT CLINTON'S PLANNED DEPLOYMENT OF GROUND FORCES TO BOSNIA

(Continued)

WHY I OPPOSE SENDING GROUND TROOPS TO BOSNIA

Mr. INHOFE. Mr. President, in recent weeks I have spent a great deal of time thinking about Bosnia. I have been to hearings and briefings. I have consulted with experts. I have had many discussions with my colleagues and my constituents. One month ago, I even went to Sarajevo and Tuzla myself to see the conditions our soldiers would face there.

Since my return, I have taken to the floor of the Senate many times, and used every public opportunity, to state my opposition to the President's imminent deployment of ground troops to Bosnia. In the days since the conclusion of the Proximity Peace Talks in Dayton, I have also spoken out against any conditional support of this deployment coming from the Congress. The decision to intervene on the ground in Bosnia is a bad idea, Mr. President, and while I will always support our soldiers wherever they are sent, I want no part of this decision.

My conviction that the administration's intention to put troops in harm's way in Bosnia is a huge mistake rests on three broad arguments. First, and above all, the conflict in Bosnia poses no real threat to vital American interests—simply put, there is nothing in Bosnia that Americans should die for. Second, the Dayton talks have produced a false peace that is inherently unstable and politically doomed. Finally, the implementation force [I-For] plan is self-contradictory and hopelessly optimistic, and will expose our soldiers to unreasonable risks even as they diligently pursue its unrealistic objectives.

WHAT INTERESTS ARE THREATENED?

The administration has repeatedly argued that two vital interests are at stake in the conflict in Bosnia. If we don't intervene now, they say, the war will widen to a point where it threatens all of Europe. If the U.S. does not lead NATO in intervention, they say, both the NATO alliance and U.S. leadership of it will be at risk.

The President is correct when he says that preserving security in Europe, and maintaining American leadership of NATO, are vital American interests. But it is one thing to refer to vital interests, and another to claim that they are really threatened by the conflict in Bosnia. I do not think they are. The administration asserts that the war in Bosnia will spread throughout Central Europe. But where is the evidence that this conflict threatens Bosnia's neighbors? Local countries like Italy, Hungary, and Austria do not seem concerned.

The President has often referred to previous European wars in this century. But comparing this war to either of the world wars—and likening those of us who oppose United States involvement in Bosnia to 1930's-style isolationists—is absurd. It shows a profound misunderstanding of history, and of the roots of those conflicts. World War I began in the Balkans because the world powers took sides in a Balkan war, not because they kept at a safe distance. What the Clinton administration is doing looks a lot more like taking sides. As for World War II, neither Serbia, Bosnia, nor Croatia are anything like Nazi Germany, in terms of ambition, population, industrial strength, military power, or anything else. They are focused on each other, not on external aggression.

The Balkan war has not spread in the past 4 years, and it shows no signs of spreading. So when the President states that stability in Europe is a vital American interest, he is right.

But when he says that European security is threatened in Bosnia, he is wrong.

The only other vital interest the administration refers to is that of preserving our leadership of the NATO alliance. Mr. President, I believe in NATO. It has served us well, and because there are still potential threats to European security, we must enhance and even expand it. But right now, the American people are divided on the question of NATO's importance. Many wonder if the alliance has outlived its usefulness. How does the administration expect Americans to feel about NATO when we get bogged down in a NATO mission in Bosnia? They will view every body bag as one more reason to get out of the alliance once and for all. They will ask: "This is why we are a part of NATO?" And they will be much less willing to act when a real threat to Europe comes along. There are still real threats to Europe out there, Mr. President.

Dragging—or being dragged by—the alliance into a conflict for which it was not designed and for which it is not suited is not leadership. NATO still has a viable mission, but not one of intervening in a nasty Balkan civil war that poses no demonstrable threat to European security. Why should we risk the inevitable conflicts with our NATO partners that will result when we all start taking casualties in a place where no one really wanted to be in the first place?

And why, if this is so important to NATO, should Russia—whose unpredictable future is one of the principal reasons for NATO's continued existence—be included so completely? Why would we go out of our way to include Russian forces with our own, when their natural sympathies lie with the Serbs that we will be trying to disarm, the Serbs we were bombing just a few weeks ago? We have been told by the

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administration that we would be even-handed in our actions in Bosnia, but I was told by an administration official not long ago that the Bosnians were our first priority. But Russia's first priority will certainly be the Serbs.

Not only will this forced alliance with Russia bring Russian troops into Central Europe for the first time since World War II; it will create the potential for misunderstandings and conflict with Russian forces that we have not seen since the Berlin Wall came down—all in the name of preserving European security.

Mr. President, I repeat—I support NATO. If and when this conflict truly threatens Greece and Turkey, or any of our other NATO allies, I will support action to contain it. But the administration proposes not to contain the conflict, but to jump right into the middle of it. If NATO is to become a rationale for America intervening in civil wars in states that are not even members of the alliance, then I say we should disband the alliance tomorrow.

WHAT KIND OF "PEACE" ARE WE TRYING TO IMPLEMENT?

Mr. President, in all the discussion of the implementation force, many people have lost sight of how shaky the agreement reached in Dayton is itself. Regardless of our interests in Bosnia, or our concern for the victims of the war there, the NATO force is being sent to Bosnia to implement what I believe is a fatally flawed agreement, one not likely to survive without the continued presence of large numbers of NATO troops. Let me quote at length from a study by John Hillen of The Heritage Foundation, dated November 30, 1995, and titled "Questioning The Bosnia Peace Plan":

Is a bifurcated Bosnian state a realistic and sustainable political entity? The Bosnian peace accord proposes a Bosnia-Herzegovina that has the appearance of a single state, but is in fact based on two very separate political entities—The Bosnian Muslim/Croat Federation and the Bosnian Serb Republic. In order for the central organs of Bosnia to actually function as intended, the two separate entities of Bosnia will have to show the most extraordinary goodwill and cooperation towards each other, qualities that have never before been in evidence in Bosnia.

Many experienced diplomats have expressed skepticism about the political viability of this Bosnian state and the realistic chances of its survival as a centrally governed and coherent nation. * * * Stephen Cambone of the Center for Strategic and International Studies noted that "any agreement reached in 20 days over issues that have been fiercely fought over for more than four years is fraught with compromises and internal flaws." Helmut Sonnenfeldt of the Brookings Institution noted that the accord has "a lot of loose ends" and "many ways in which it could unravel." In short, the accord is diplomatically enchanting but realistically impractical.

Much of this skepticism over the accord is rooted in the fact that the accord does not address fundamental issues of sovereignty and ethnic self-determination. Instead, it freezes those unresolved issues in place and offers up an elaborate power sharing agreement for a Bosnian central government.

However, it will be difficult for a contrived central government to replace the bonds of loyalty, authority, and legitimacy that currently exist between Bosnian Croats and Croats and Bosnian Serbs and Serbia. Those existing bonds are rooted in centuries of political, ethnic, and cultural identity and are sure to prove stronger than bonds to a hastily fabricated central government. * * *

If history is any guide, this agreement does not stand much chance of lasting. In Cyprus in 1964, international negotiators reached a similar agreement between Turkish and Greek Cypriots. Much like the Bosnian agreement, the doomed Cyprus accord attempted to replace bonds to the "parent entities" for both sides (Greece and Turkey) with an unworkable central executive and ethnically aligned parliamentary blocs. This ensured continued intractability except in the event of the most extraordinary goodwill. This structure never worked because it never addressed the fundamental fears and aspirations of the warring factions and was completely predicated on a diplomatic fantasy: the hopes for a degree of cooperation that had never been present in Cyprus. After 10 years of sporadic fighting and instability under this makeshift arrangement, Turkey invaded the island, partitioned Cyprus, and put an end to the ephemeral peace; an imposed peace that was never locally supported. UN peacekeepers have been in Cyprus for over 30 years.

The same pattern can be expected in Bosnia. How can an imposed peace that does not reflect political realities or the basic concerns of the warring factions hope to survive except by the continued enforcement of thousands of NATO and American troops? The hastily concluded Bosnian peace accord is, by necessity, a weak plan. The weakness is inherent because the accord does not address the fundamental issues that caused the parties to go to war in the first place. It is, at best, a cease-fire that can only work under the continued stewardship of 60,000 heavily armed NATO combat troops.

Mr. President, it is my view that, in addition to finding threats to vital interests in the Balkans where there are none, the President is putting U.S. prestige on the line to implement a peace plan that has very little chance of succeeding in the long run even if everything goes well for a year.

THE REAL RISKS TO AMERICAN TROOPS

Maybe the most troubling thing about the Administration's approach to the Balkans is its confidence that it will be able to control the conflict after it jumps in with both feet. The President speaks of a "limited, focused" mission; he tells us that we are "not fighting a war." Then why are we sending more than 60,000 troops, reinforced with tanks, artillery, and airpower? What of this talk of "overwhelming force" and "robust rules of engagement?" Just what is "overwhelming force" when you are fighting against landmines? What are "robust rules of engagement" when you are fighting snipers—an airstrike on the village where you think the shot came from? Mr. President, I remind my colleagues that we had robust rules of engagement and overwhelming force in Vietnam, and they did not work in the end. I think that it is utter nonsense to apply these concepts to Bosnia.

Regardless of any paper agreement signed in Dayton, there are those in

Bosnia for whom continued fighting is a better deal. There are those who are profiting from the war as bandits or on the black market. There are those who are used to getting their way with guns; for them this war is about money, not ethnicity; one NATO commander told me that they had found cases where Serbs were selling black market ammunition to Muslims! What about those who will be displaced from their homes by the Dayton agreement, who will not willingly leave? What about those who have been displaced—there are up to three million refugees in Bosnia-Herzegovina—for whom peace means "going home," but who will not be allowed to return as the result of the agreement? What about fighters who are demobilized as a result of the treaty, but cannot find jobs because the economy has been ruined? And those who just miss the power of a rifle? While I was in Tuzla last month, the commanding general of UN Sector Northeast, General Haukland, told me that there will be criminality and gangsterism when troops are demobilized. Mr. President, what about those who have a score to settle after four years of brutal war? One thing is certain, Mr. President—there are a lot of people in Bosnia who may be tempted to shoot at Americans, regardless of our "overwhelming force" and "robust rules of engagement."

A LONG-TERM COMMITMENT

On October 17, 1995, Secretary of Defense Perry told the Senate Armed Services Committee: "The U.S. has vital political, economic, and security interests in Europe. The war in Bosnia threatens those interests, and the U.S. vital security interest is served by stopping this war." At the same hearing, Secretary Perry states the administration's commitment to bringing our troops home in approximately one year.

But the Administration cannot have it both ways. President Clinton cannot say that our vital interests are threatened in Bosnia, and at the same time pledge that we will be out of Bosnia in about a year. If two vital interests—European security and the NATO alliance—are truly threatened in Bosnia, how can there be a one-year statute of limitations on our response? Since when are American vital interests only worth one year's commitment?

The Administration has also said that United States troops will leave Bosnia if the peace agreement is violated and conflict resumes. In short, their plan claims to be defending a vital interest, but promises that we will leave if enough people shoot at us, or when the 12-month clock runs out. But if conflict in Bosnia really threatens a vital U.S. interest, are they not committed to ending that conflict no matter what it takes, or how long it takes? Is that not what "vital interest" means? Mr. President, if the administration can tell us that IFOR will leave in about a year, no matter what, then there must not be much of a

threat or much of a vital interest. If there are vital interests at stake, the Administration should be honest and tell the American people that we are committed to Bosnia for the long haul.

If I were sending one of my sons to Bosnia, I would want to know that his life was being put on the line to accomplish something important, something worth doing at any cost, and something that the American people stood firmly behind. But at best, the Dayton plan and IFOR will bring a few months' respite to the people of Bosnia. When the war resumes after we leave, or if "systemic violations" force us out, then the hundreds, perhaps thousands, of Americans who died trying to impose a token peace in an artificial country will truly have been wasted.

Vital interests are the only thing we should ask our soldiers to die for. When U.S. vital interests at stake, the American people and our troops alike will tolerate things going badly for a while. They will stay the course. If there were vital interests at stake in Bosnia, the President would not be giving us all of these details about rules of engagement, exit strategies, and time limits—he would not have to.

Mr. President, administration officials in Washington seem to be the only people who think we can finish this operation in a year. Not one military or diplomatic person I spoke with on my trip, not a single U.S., NATO, or U.N. commander, thought that peace in Bosnia could be achieved in anything close to 12 months. Given the forbidding geography, harsh winter climate, and wholesale destruction in Bosnia, it will be months before even modest degree of stability could be restored, even if everyone cooperates fully. The UN commander in Tuzla, General Haukland of Norway, described a one-year presence as a hand in water—when you take it out, nothing has changed. In Balkan history, a year is no time at all.

The simple truth, Mr. President, is that the Republic of Bosnia and Herzegovina is about to become America's pet country. The United States of America is going to own Bosnia and all of her problems just as soon as the 1st Armored Division sets up in Tuzla. Does anyone really believe that we will leave Bosnia in a year if the threat to her stability remains? Does anyone really believe, after arming, training, and equipping the Bosnian Army for a year, that we will stand by and watch if our pet army is on the verge of defeat? Of course not; if Bosnia is as important as the Administration says it is, we will stay in Bosnia as long as we have to. We have already employed airstrikes against the Serbs; we will do so again if Bosnia is threatened again. I say to my colleagues—we are on the verge of what may be a very long commitment.

So Mr. President, I have said that I will resist this plan with all of my power, and I will do so down to the wire. I think the peace is false, the

plan is naive, and the risk to our troops unrealistically high. There is only one way to express these conclusions: I urge my colleagues to oppose the Dole-McCain Resolution of conditional support, and to support the Hutchison-Inhofe Resolution opposing the deployment of ground troops to Bosnia.

Mr. President, I want to make a couple of observations about the debate that is taking place tonight. There seems to be a lot of people who are going to vote, perhaps, for the Hutchison-Inhofe resolution, then turn around and vote also for the Dole-McCain resolution. I suggest, Mr. President, that would be a little inconsistent.

After looking at a final copy—and we only received a copy of the Dole-McCain resolution a matter of a couple of hours ago in its final version—I cannot see that it narrows the mission at all. It starts off by saying, "Before acting, pursuant to the resolution, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination. . . ."—and then they cover a number of things that they want the President to certify. For example, the Dole-McCain resolution says: "The mission will be limited to the implementation of the military provisions of the Dayton agreement."

But the administration has already, in effect, certified this: Secretary Christopher said, on December 1: "Let me assure you that IFOR's mission is well-defined and limited. Our troops will enforce the military aspects of the agreement. They will not be asked to guarantee the success of democracy or reconstruction."

Secretary Perry said the same thing: "The mission of IFOR is to oversee and enforce the implementation of the military aspects of the peace agreement." That is exactly the same as we find in the Dole-McCain amendment.

Second, Dole-McCain says: "An integral part of the successful accomplishment of the objective is the establishment of military balance." This is what the administration has been saying all along. For example, Secretary Christopher has said: "We are committed to achieve the stable military balance with Bosnia and among the states of the former Yugoslavia."

In another part of the Dole-McCain resolution, it says: "The United States will lead an immediate international effort to provide equipment, arms, training, and related logistics assistance of the highest possible quality to ensure that the Federation of Bosnia and Herzegovina can provide for its own defense."

Again, on December 1, Secretary Christopher said: "The Armed Forces in the Federation will need to obtain some equipment and training in order to establish an effective self-defense capability. As for our part, the United States will ensure that the Federation

Armed Forces receive the necessary assistance."

What I am saying, Mr. President, is I think it is inconsistent for someone to vote for Hutchison-Inhofe and turn around and vote for Dole-McCain. Dole-McCain simply requires the President to say what he has been saying all along. Is that supposed to narrow the mission? Is that supposed to reassure us?

Second, Mr. President, I was listening very attentively to the very knowledgeable and scholarly Senator from West Virginia, Senator BYRD, talking about the constitutional rights of the President and the responsibilities of the President and also the constitutional rights of Congress. I thought, all the way through, that he was coming to the conclusion that the President cannot do what he has already done. At least that is what I was inferring from his remarks. But I gather he will support the President by voting for Dole-McCain.

I did hear several other valuable arguments during the course of the day. Senator FEINGOLD came out with some very strong constitutional arguments that would lead one to believe that the President has indeed overstepped his powers. He referred to an article by Louis Fisher, which I later made a part of this RECORD. He says: "The framers knew that the British King could use military force against other countries without legislative involvement. They gave to Congress the responsibility for deciding matters of war and peace. The President, as Commander in Chief, was left with the power to repel sudden attacks."

So that qualifies what the President is able to do within his constitutional rights. We made that a part of the RECORD. In sitting and listening to the debate today—and I stayed in the Chamber the entire day, as I feel this is the most critical vote we will have, probably, at least in the last year or 2, and I wanted to hear everyone's viewpoint. I think the distinguished Senator from Alabama, Senator HEFLIN, talked at some length about how this should be a European mission. I have said over and over again that maybe we have a responsibility—and I am not going to debate that because everybody is assuming that we have a responsibility to protect the integrity of NATO, to respond in some way to the atrocities that have taken place. I have suggested that there are atrocities taking place all over the world. Where do you draw the line? Do you draw it here? Or are we, in fact, doing this because the President, in February 1993, made a statement that he was going to send ground troops in?

But the Senator from Alabama, Senator HEFLIN, talked about the fact that this should be a European mission. Nobody will deny that it is more a responsibility of Europe than it is the United States. Yet, we talk about the contribution that our NATO partners are making to this.

Germany, who is in the backyard of the Balkans, is sending a total of 4,000 troops, and they debated it in their legislative body before agreeing to do that. We did not have time to debate it before we did it. Yet, we are talking about sending five times the troops that Germany is sending.

I listened very carefully while several people on the floor made points. I want to briefly respond to a couple of them. First of all, as far as our troops being supported, I think we all have made it abundantly clear that we in this body, as well as the other body, are supporting our troops, not just here, but all around the world. What greater support could there be for our troops than by not sending them into this hostile area to start with? That is real support of the troops.

That is what we are trying to do with the Hutchison-Inhofe resolution—make it abundantly clear that our troops should not have to be over there. When they are over there—if, in fact, they end up in a mass deployment—yes, we will support our troops all the way. I think that has been said over and over again. I do not think anybody is going to deny that.

The Senator from New Mexico, Senator DOMENICI, made a very good point. What we are trying to do is state our opposition to this before it gets started.

You see, the troops are not deployed yet. Yes, there are some there. We will support those. Those are the advance troops, logistic troops, but the mass deployment that the President has promised immediately after the signing of this agreement in Paris has not yet taken place. So this debate is taking place now, before the mass deployment has taken place.

The junior Senator from California commented in her remarks that this deployment was acceptable "as long as it remains a peacekeeping mission." I suggest to the junior Senator from California it is not a peacekeeping mission now. We keep hearing about peacekeeping as if there is currently peace to keep. There is a cease-fire in effect. But I have been in parts of Bosnia during this cease-fire when the gunfire was going off; in some parts of the northeast sector, near Tuzla, they do not even know there is a cease-fire. The title that we are giving ourselves now, giving to I-FoR, is "peace implementation." There is a big difference between peacekeeping and peace implementation. Peace implementation means we do not have peace now but we will implement it. That is a totally different mission.

Mission creep has already crept into this, Mr. President. The exit strategy seems to be to keep peace for a year, and then leave. As the junior Senator from California said, all we have to do is keep peace for a year and we are out of there. She is saying exactly what Secretary Christopher said, exactly what General Shalikashvili said as recently as last week before the Senate

Armed Services Committee, saying it is inconceivable we will not be out of there in a year.

During my visit with the Norwegian general who commands the U.N.'s northeast sector, in the Tuzla area, I mentioned "12 months," he smiled and said, "You mean 12 years." And when we talked about 12 months he said, "Apparently the American people do not understand the way the people in that region think, the Serbs, the Croats, and the Moslems. Their conception of time is totally different." He used an analogy I have used on the floor. It is like putting your hand in water for 12 months, you look and take your hand out and nothing has happened. When we leave the war will start again. If they know we will be gone in a year, which we have said we will be—the President has reaffirmed that as recently as last week, and it was reaffirmed a week ago by Secretary of Defense Perry—what will they do? Lay low for a year and then come back out swinging. By the way, Mr. President, the combatants in this conflict have a habit of laying low every winter.

I do not think I have ever in my life—and I did serve in the Armed Forces—I do not ever remember a time in our Nation's history or in the history of warfare where we went into a hostile area and then our exit strategy was geared to time, instead of being geared to events. But that is exactly what we are proposing to do here.

The senior Senator from California was talking about "A far greater risk in doing nothing than in sending our troops." I suggest that it is not quite that easy. It would be easy if we were able to pass the Hutchison-Inhofe resolution and the President would look at this and say clearly we do not have Congress behind sending ground troops in but we have a responsibility to NATO, we have a responsibility to Bosnia. If he felt that way he could do it and we could do it through air power. We have already been there with airstrikes. We know that works. We could lift the arms embargo.

Sure, our European partners do not want us to do that. They want us on the ground there. People talk about how well received our President was over in Europe. I think if I lived in Europe I would be receiving him well, too. He is coming over and proposing that we fight their battle for them. I suggest that there are other alternatives.

Senator ASHCROFT from Missouri was talking about the speech that the President made in 1993 and suggested something I had not thought about. Maybe the President made the commitment of United States ground troops back in February 1993 without having been really apprised of the situation in Bosnia, the deep hostility, the history of that area, the history of World War I, World War II, the 500-year-old civil war, and what has been going on over there for many years.

The Senator from Delaware, Senator BIDEN, was articulate and outspoken

when he talked about the different parties there. I think he referred to Milosevic as someone who was perhaps a war criminal, and certainly he talked about the others who had actually been indicted for war crimes. Lastly, it was Senator KOHL who said that we either support peace or we do not. I think there are many ways where we can offer our support without doing it on the ground. I will mention one other thing that the Senator from North Carolina mentioned when he talked about the fact that the bridges and the roads in that sector—from Hungary down south through Tuzla, down toward Sarajevo, in the area that goes from the Posavina corridor down to Tuzla—that the roads would not accommodate an M-1 tank. We found out when we were over there that there is only one bridge in that entire area that they say can handle it structurally. The Americans will have to come in and rebuild the bridges, rebuild the roads, and if they do not they will start a civil war because the people are upset for us coming in and messing up the existing roads with our tanks. This came from the people now in command, the U.N. people in the northeast sector.

The most profound thing I have heard on the floor of the Senate today came from the very distinguished Senator from Indiana, Senator COATS. He asked the question, "Have we so squandered American leadership that we must buy it back with American lives?" I think this puts it in perspective. If we are wanting to prove to someone that we have this leadership, that we must lead and whatever NATO decides to do is in the best interest of the allies and that we must blindly go along with them, do we do this at the risk of lives?

On October 17 we asked the question of Secretary Christopher and Secretary Perry. This was after Gen. Michael Rose made the statement if the Americans get into this war they will sustain more losses than they did during the Persian Gulf war, where we lost a total of 390 lives.

I asked the question, is your mission here worth 400 or more lives? Secretary Christopher said yes; Secretary Perry said yes; General Shalikashvili said yes. I think that is a defining difference between the administration's view and my own.

I think that we need to at least acknowledge this body is already on record opposing what President Clinton is about to do. So it is not a matter of waiting until the last minute, until the last hour. Over a month ago we passed a sense-of-the-Congress amendment in both the House and Senate, attached to the Defense appropriations bill by Senator GREGG: "It is the sense of Congress that none of the funds available for the Department of Defense should be obligated or exploited for the deployment or participation of the United States Armed Forces in any peacekeeping operation in Bosnia-Herzegovina * * *."

This opposition is not something we are coming up with today for the first time. The Senate is already on record.

Lastly, let me go over some of the things that were talked about on the floor today in terms of danger. I think we are kind of trying to soften this thing, trying to gloss over the dangers. Some say we will go over and everyone will be kissing the American flag and everyone will love us because we brought peace into the Balkans. If you stop and look, and this came out of the Defense News, of the various elements over there, the Croats have 80,000 soldiers; the Croatian Serbs 50,000; Serbia, 125,000; Bosnia, 110,000; Bosnian Serbs, 80,000; Bosnian Croats, 50,000. That is not even talking about the rogue elements, and there are some nine rogue elements that are over there.

It is so convoluted it reminds me of the letter that came back from one of our warriors who lost his life in Somalia. It was the son of Captain James Smith, who read me the letter of his son. His son was Cpl. Jim Smith who lost his life. Capt. Jim Smith lost his leg in Vietnam and his son lost his life in Somalia. His was one of those corpses dragged through the street in Mogadishu. His last letter said: Dad, we cannot tell who our friends are and who they are not. We cannot tell the difference.

I suggest that is exactly the situation that we have here. Many people have talked about the fact that we are going to have just 20,000 or 25,000 troops over there. I hope no one is kidding themselves, deluding themselves thinking that is all we are going to have.

There was an article in the Defense News that gave a very persuasive argument that we would end up with a total NATO force of 240,000 troops. Keeping our ratio, that would be 80,000 Americans who will be involved over there.

Go back and read your history. British Prime Minister Disraeli, over 100 years ago, who had been observing the battles over there, said, "It will take a half-million troops to bring peace to the Balkans."

I think, when we look at the time-frame of 12 months—that is fictitious. It is not going to happen. The 20,000 troops, that is not going to happen. The mission is peacekeeping—that already is not happening, it is now peace implementation. We are kidding ourselves.

We have already had a vote on H.R. 2606. That was a very strong vote, even though there were just 22 who voted in favor of it. Those are the people who really feel the strongest about not sending troops into that area. But we are going to have another record vote. That record vote is going to take place this evening.

We are going to have two record votes. When you have the first vote on the Hutchison-Inhofe resolution, think very carefully. Because if you vote for that, as I said when I opened these remarks, you cannot turn around and vote for the Dole-McCain resolution be-

cause they are inconsistent with each other. This is the last opportunity that the Senators who are here and will be voting tonight will have to get on record. This is their last shot, the last chance they have to say no, we should not send ground troops into Bosnia.

I do not think it is possible for anyone to understand the hostility of the area if he or she has not been up there to Tuzla where our troops will go. To the best of my knowledge, only two Members of Congress have been up there, Senator HANK BROWN from Colorado and myself. When we had a meeting the other day in the Senate Armed Services Committee, I discovered that even Secretary Perry had not been up there, Secretary Christopher had not been up there, General Shalikashvili had not been up there, and certainly President Clinton has not been up there.

I cannot imagine that they would be willing to take chances in a hostile area without going up and looking at it. I can tell you firsthand, and I went over much of that area in a helicopter not more than 100 feet off the treetops with Gen. Rupert Smith, a British general. We looked down and for the first time we could realize how Marshal Tito was able to hold off the very best that Hitler had on a ratio of 1 to 8, because of the unique environment, the very hostile and forbidding environment.

Mr. President, this is going to be probably the most significant vote that many Members of this body will cast. It is going to be tonight. I would like to have them think long and hard. Because if you vote for—if you vote against the Hutchison-Inhofe resolution and vote for the Dole-McCain resolution, you are saying we agree with the basic policy of sending ground troops.

You see, I think everybody knows now, we can support our troops and not support the policy. That is an easy thing to do. We all support our troops. The greatest support we could give our troops is to not to deploy them into that warring area.

I yield the floor.

The PRESIDING OFFICER. Under the previous order the Senator from Minnesota is recognized for 7 minutes.

Mr. WELLSTONE. Mr. President, 4 years of mass executions, mass rape, mass murders, brutal ethnic cleansing, sieges against civilians, terror campaigns, atrocities, and genocide not seen in Europe since the end of World War II—1/4-million people dead, 3 million people in the region refugees, and if we were to think about this in terms of our population, that would be the equivalent of 170 million American refugees.

The people of Bosnia deserve relief from years of armed conflict, relief from displacement, relief from malnutrition and hunger, relief from winters without heat or electricity, relief from war crimes and, yes, relief from the indifference of the rest of the world.

I traveled to the former Yugoslavia by myself 2 years ago. I went with my legislative assistant, Colin McGinnis. I visited with people in the refugee camps, and I saw enough pain and enough misery to last me for a lifetime. The Dayton agreement is the best and perhaps it is the last chance for peace in the region. That is why I intend to support it.

While I am speaking on the floor, I would like to express my thanks and my love to the family of three American diplomats killed in Bosnia while serving the cause of peace.

Our proper constitutional role as Senators and Representatives is to not give broad grants of authority to any President. I have talked to experts outside the Congress, had many briefings from people in the administration, met with people in the former Yugoslavia, and I have tried to the best of my ability to make the best decision for my country and for the world that I live in. I believe it is our responsibility to make sure the objectives are limited. I believe it is our responsibility to insist on as much clarity as possible.

There are several reserve units going from Minnesota, and, as a Senator, I owe those families. It is my responsibility to make sure that everything is done that can be done to preserve their safety and the safety of all of our soldiers who are there—not to go to war, as I listen to the Senator from Oklahoma, but are there to secure a peace.

Do I have concerns? You bet I have concerns. I do not think the arms control provisions of this agreement are very strong. I worry about the international police provisions; I think they are weak. I believe that there should have been, in the Dayton agreement, really a clear understanding—we keep talking about this 1-year time agreement—that the Europeans are a part of the transition and that they assume the responsibility for peacekeeping so that when we leave after a year or thereabouts, in fact the presence of NATO is there. Because it is not clear to me that we will be able to accomplish our objectives in that period of time.

Do I worry? You bet I worry. I have been up at night trying to decide what the right decision would be. I worry about the landmines. I have had briefings from our military, and there are reasons for all of us to worry. Our soldiers are trained, they have been doing the training in Germany, but I worry about that. I worry about depending on Milosevic. I think Milosevic is a war criminal. And when I hear Milosevic has made this commitment and that commitment, it makes me nervous.

I wonder what the meaning is when General Mladic says he has not agreed to this agreement. Does he go to the hills with his soldiers? I worry about that as well.

This has been a difficult decision for me, but in the end I really believe that we are doing the right thing as a nation. In the end, I think the alternative

to no peacekeeping force there—and there will be no peacekeeping force and there will be no agreement if we are not a part of that force—will be a living hell. The alternative, I say to my colleagues, will be a living hell: More genocide, more rape, more murder, more mass executions in Bosnia. And it could be a war that spreads to Central Europe.

We are there to do the right thing. I believe that. I believe that for our children. I believe that for my children.

In the end, I stand on the side of hope, hope for an end to this conflict, hope for an end to its attendant horrors, hope for a better world that we live in, hope for the peoples of that region, hope for an end to the bitter ethnic divisions, hope for an end to the religious hatred.

I believe that we, therefore, in casting this vote in supporting our soldiers and in supporting this peacekeeping mission—I believe we cast the right vote. That is why I will vote for the Dole-McCain resolution, and that is why I am in opposition to the Inhofe-Hutchison resolution.

Mr. President, on the day before the formal signing of the Paris Peace Agreement on Bosnia, we are gathered here for a historic debate. I want to share with my colleagues my views on the deployment of United States peacekeepers to Bosnia to participate in the NATO peacekeeping mission there.

Designed to help put an end to the violence that has cost so many lives and so much suffering over the last 4 years, it offers real hope for peace. After much thought, I have come to a simple conclusion. With U.S. participation in the NATO peace effort, there is a real chance for a durable peace that could break the brutal cycle of violence there. Without our participation, we face an almost certain resumption of the fighting, and possibly a wider Balkan war.

This war has taken a horrible toll, not only on the people of the region, but also on the conscience of people everywhere who have watched it unfold in all its horror on their TV screens, and struggled to figure out a way to help end it.

For 4 years the people of Bosnia have suffered some of the worst atrocities in Europe: mass executions, mass rapes, brutal ethnic cleansing, sieges against innocent civilian populations, and terror campaigns. Atrocities we have not seen since the end of WW II.

So far, the war there has left a quarter of a million dead, and nearly 3 million people from the region refugees, expelled from their homes and villages in brutal campaigns of ethnic cleansing. Three million refugees. Think of that. If such a war were fought here in the United States, by population share that would be equal to about 170 million American refugees.

The people of Bosnia deserve immediate relief from the years of armed conflict, displacement, malnutrition and hunger, winters without heat or

electricity, war crimes, and at times indifference by the rest of the world. The Dayton agreement offers a promise of such relief. I visited the Balkans 2 years ago. I met many people there, including many refugees who had been expelled from their homes, and who had lost loved ones and friends. I know the trials and horror they have experienced.

Even in the face of these horrors, the President's decision to send United States troops to Bosnia is one of the most difficult foreign policy choices our country has confronted since the end of the cold war. The risks of the deployment, though I think they have been greatly reduced by the administration's careful planning, are real. From the millions of landmines left over from the war, to irregular forces, to weather, to other hazards, this mission is not without its dangers.

But while many of us have had differing views about the proper United States role in Bosnia over the past 4 years, and some of us had pressed for tougher action against the Serbs for many months, there is one thing that is becoming more and more clear. The Dayton agreement is the best, and perhaps the last, chance for peace in the region. That's why I intend to support it.

Full and effective implementation of this agreement offers the best hope to stop this brutal war, and to give the parties a chance to recover, and to rebuild their cities, to rebuild their nations. After months of fruitful negotiations led by the United States, and with the Europeans providing the bulk of peacekeeping forces to help monitor the agreement, I believe it would be a mistake for the U.S. Congress to sound an uncertain, quavering trumpet now regarding our commitment to peace in the region.

Through tough-minded, tenacious diplomacy, President Clinton's envoy Richard Holbrooke worked for many months to help the warring parties craft an agreement that could bring an end to the bloodshed. He deserves our praise, and our thanks—as do those three American diplomats killed in Bosnia while serving the cause of peace.

President Clinton observed in his recent speech that the United States can't be the world's policeman, but we can become involved in circumstances such as this, where we have a compelling national interest in maintaining the peace, where we have a chance to be effective, and where we have a clear duty to help.

Over the course of the last few weeks, I have talked with the President and with his chief foreign policy advisors, including Secretary of State Christopher and Secretary of Defense Perry, and pressed them to ensure our mission was clear, limited, and governed by strict rule of engagement that would allow our troops to protect themselves in any circumstances. The Dayton Agreement provides for sweeping

NATO rules of engagement that will allow U.S. forces to use all appropriate force to protect themselves. In the last 2 weeks, I have been urging administration officials to clarify the limited, narrow goals of the mission; how they intend to measure progress toward those goals, and the limits they will impose on U.S. troop activity in the region. I believe they have made real progress in clarifying each of these areas.

This is our proper role in Congress: to press administration officials to clarify key points of their plan, ensure that objectives are limited and attainable, that an exit strategy is clearly laid out, and that planning for a post-U.S. presence upon withdrawal, composed presumably of Europeans, is moving forward. I believe that we have done that, pressing those responsible in the administration to close some gaps in their thinking that will serve our troops well in the long run.

I have thought long and hard about this deployment and, in addition to my discussions with the President and his senior advisors, have consulted extensively with those whom I represent in Minnesota, administration officials at the working level in the Pentagon, the State Department, and elsewhere. I have talked with outside regional experts, and others. I've talked with Minnesota military personnel who are being deployed to Europe. There are several reserve units from Minnesota whose members are being deployed to Europe, and I am aware of my direct and profound responsibilities to them and to their families—and to the families of all our troops—to ensure that everything possible is done to preserve their safety.

The Dayton Agreement, especially its key military annexes, were clearly designed with these concerns in mind. And it has garnered broad support. It has the support of the Russians, of the U.N. Security Council, NATO, the European Union, and the Organization for Security and Cooperation in Europe, each of whom will play a key role in its implementation. It is truly a multilateral effort, of which the administration should be proud.

But even though we played a key role in the development of this agreement among the parties, let us not forget one critical thing; this is their agreement, not ours. It was developed by the parties, not imposed by outsiders. They have asked other nations, including the United States, to help secure the future of that agreement.

And they have assured us, NATO, and the U.N. Security Council that they will respect its terms, and take steps to protect our peacekeeping forces. Over 25 nations have responded to the call to help secure this peace. As the last remaining superpower, we have an obligation to join them. If the current ceasefire holds, and the peace agreement is signed tomorrow in Paris and begins to be implemented on schedule in the next few weeks, we have a duty, I believe, to help.

I think it would be irresponsible to sit aside and allow the horrors that have taken place in Bosnia to continue. Our great hope is that this peace agreement might finally secure a lasting peace; we must not abandon that hope now by cutting off funds for our troops, or by refusing to grant at least conditional support for the mission.

I have decided to support this peacekeeping deployment, even though I am fully aware of the potential risks and problems with it. For example, I believe the arms control and international police provisions of the Dayton Agreement are weak, and must be strengthened. And they are being strengthened and fleshed out, by NATO planners and through proposals offered last weekend at the London Implementing Conference. In the end, how they are implemented will make the big difference, and we in Congress must monitor this carefully. The reporting requirements of the Dole-McCain resolution will help ensure that Congress is kept informed on a formal, timely basis of developments in key areas of the accord's implementation, in both its military and civilian aspects.

Likewise, I remain somewhat concerned that the very broad NATO rules of engagement leave considerable room for interpretation on the part of NATO field commanders there about how to react when faced with violent civil disturbances, hostage situations, harassment by irregular forces, or other similar situations. I know they do so to provide flexibility to our commanders in the field, but this is another area which must be monitored carefully. Supervising the separation of forces, maintained by the parties, is one thing. But serving as local police forces is quite another. While I know the Dayton Agreement prohibits the latter, we must be careful to ensure that the potential for any mission creep is strictly limited.

We have heard a lot of heartfelt debate today, and expressions of concern about the potential for an extended, open-ended deployment. To those who are worried that Bosnia could turn out to be a quagmire, I can only say I have consulted as broadly as I could, weighted the risks as responsibly as I could, and I do not believe that is going to happen. I believe the administration has built into its implementation plans sufficient safeguards to avoid this problem, including strict limits on the areas where our troops will be, and on their mission. If I did believe this was a real risk, I would fiercely oppose this deployment. Let there be no mistake. This will be a NATO operation, with clear lines of command and rules of engagement, run by an American general. The mission is not open-ended. Our troops will be heavily armed, with the power and authority to respond to any potential threats as forcefully as necessary.

Of course, there are some concerns that can never be fully met. For example, I have doubts about the sincerity

of Serb President Milosevic, and about his ability to deliver on his promises. I have even less confidence in the Bosnian Serbs. I am frankly alarmed that General Mladic has not been willing to support the agreement, that Serb civilians in the Sarajevo suburbs have been so vocal in opposing it, and that the Bosnians have resisted cutting their ties with radical states like Iran. But those doubts should not deter us from at least supporting this attempt at peace; they simply offer reasons for caution.

I have raised some of these concerns explicitly with the President and his advisors. I have asked tough questions of administration officials about how they intend to make good on United States commitments to lead an effort to provide arms and training to the Bosnian Government while serving as neutral peacekeepers. While I have in the past supported lifting the arms embargo against the Bosnians, I believe that with this agreement there is a real chance to stabilize the situation through arms control, rather than primarily through building up the opposing armies.

That's where our emphasis should be now. Demilitarization on all sides, not remilitarization, is the appropriate course to follow to establish a military balance between the Serbs and the Moslem-Croat Federation. Once a full NATO balance-of-forces assessment is complete, the report required by the Dole resolution is submitted to Congress, and the arms build-down begins in earnest, I am hopeful that full compliance with the arms control provisions of the peace agreement will go a long way toward equalizing the forces. And if it does not complete the task, there will be plenty of moderate Moslem nations willing to help arm, equip, and train the Bosnians to better defend themselves, as necessary.

I have also raised questions about the criteria that will be applied by NATO to measure progress toward its goals, and about the timetable for the eventual withdrawal of U.S. forces. Administration officials have provided me with all the information they could on these questions. While many of us would like to know that our troops will come home by next Christmas, I do not think the administration can realistically provide firm assurances that that will happen, and I think that it would be foolish to demand them as a condition for our support, since it could place our troops in great jeopardy if they are pulled out prematurely.

I do know the President intends to have us get in, complete our mission, and get out, as swiftly as possible, and that General Shalikashvili has indicated that 1 year is more than sufficient time to accomplish the limited military goals of the mission. Completing our mission should be our primary goal, not meeting some arbitrary timetable that may be driven more by domestic politics than by the situation on the ground in Bosnia.

Whether 1 year is also sufficient time to secure other, broader goals, including return of refugees, free and fair elections, and rebuilding of war-torn Bosnia, is unlikely. I know of almost no one who believes it is possible in that timeframe. But at least this year-long respite can end the violence, and start them on the road toward peace. I hope that we will be able to work out an agreement with out allies that will provide for a much smaller, residual force that could stay there longer, if needed, to monitor compliance with the accord. Composed largely of NATO troops from Europe, this force could begin to shoulder primary responsibility for the mission after 9 to 10 months. I have urged the administration to explore this more vigorously, because I think it is key to our exit strategy in the region. I would have preferred that it be built into this resolution. But I am satisfied that the administration has taken seriously this concern, and will take steps to explore it with our allies.

On these and many other questions, administration officials have been very forthcoming. Where they were unable to provide clear answers, for example on the planned composition of a follow-on force if such a force were necessary after U.S. withdrawal, they outlined for me the state of their current thinking. Frankly, there is still much work to be done by NATO, the U.N. Security Council, and others over the course of the next few weeks and months to nail down answers to some of these key questions. But overall, I am satisfied that this deployment has been carefully planned and will be executed ably by our military forces. It is the responsible thing to do, the right thing to do. And that's why I intend to support it.

Many Americans remain skeptical of U.S. participation in this peacekeeping effort. I continue to believe it is critical that the President have the support of the American people and their representatives in Congress before moving forward. And I think that as this process has moved forward, and the President and his advisors have made clear the limited, narrow nature of the NATO mission, more Americans are being persuaded that this peacekeeping effort is the right thing to do.

Whatever we decide today, the President has already started sending U.S. troops to serve as advance support for the U.S. mission there. We must support the troops, and their families here in the United States, in every way we can. This resolution expresses clearly our support for their efforts.

Mr. President, this has been a difficult decision for me. But in the end I stand on the side of hope—hope for an end to the conflict and its attendant horrors, hope for a better future for the peoples of that region, hope for an end to the bitter ethnic and religious hatreds that have engulfed the region. It is a hope tempered by realism, though, about the road that lies ahead, and the potential pitfalls of this agreement.

Finally, let me say this. Over the last few weeks, some have asked me why I would be willing to consider supporting this peacekeeping deployment, when I opposed our going to war in the Persian Gulf. There a host of major differences between the two situations, not least of which is that our troops were being sent to the Persian Gulf to go to war; in Bosnia, they are going to secure a peace. The have been invited by the parties in Bosnia to secure a peace agreement, under firm security assurances provided by the parties. I opposed the war in the gulf, among other reasons, because—like Chairman of the Joint Chiefs of Staff Colin Powell—I believed the tough U.N.-imposed sanctions ought to have been given more time to bite. In Bosnia, I do not believe that are realistic alternatives to this peacekeeping deployment that have gone untried.

This may be the opportunity that is needed, Mr. President, to break the cycle of violence in the lands of the former Yugoslavia by helping to keep the sides apart for a year in order to give them some time to begin putting their lives back together. Hopefully a year of peace will bring about something more lasting. It is my hope for the future of the peoples of that region that has led to me to conclude that we should support the President's action. I urge my colleagues to join me in support of this resolution.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, as a co-sponsor of the Hutchison-Inhofe resolution opposing President Clinton sending American troops to Bosnia, I am obliged to note that the administration's problem is that it lacks a coherent policy for resolving the war in the former Yugoslavia. That is it, pure and simple.

A coherent policy must be based upon a clear-eyed assessment of the United States national interest in the Balkans. It must employ a means to address our national interest, calculated in direct proportion to the threat posed to the United States. Most of all, a coherent policy must have an end, a goal, a point at which we can define when the mission is accomplished.

The administration's plan has none of these elements.

The foundation of President Clinton's policy in Bosnia is not the national interest—it is desperation. This desperation to fill the vacuum of American leadership in Bosnia has led the President to make a disastrous decision. In a last, desperate act he is demanding that the U.S. military rescue his foreign policy.

The American people should be prepared for the possibility that American lives will be lost any time our national interest is at stake. I am certain that if asked to go to war our brave men and women in uniform would, without

hesitation, heed the President's call. I salute those who would serve the Nation so readily, but I cannot and will not support the President's decision to ask them to make this sacrifice. The risk to the lives of our troops far exceeds any national interest the United States could possibly have—particularly as defined by President Clinton—any national interest we could possibly have in the Balkans.

The question will not go away: "Mr. President, what precisely is your goal? What is your objective in Bosnia? Is it the creation of an inviolable Bosnian nation?" If so, the Dayton Agreement assuredly does not accomplish that goal. The agreement—pure and simple—is the partitioning of a sovereign nation on ethnic lines.

Is Mr. Clinton's goal to provide the people of Bosnia the means of defending themselves? If so, the President has so far shown no inclination to do so. Is it to save his own foreign policy and salvage his administration's standing on the world stage? If so, it is too late, and a disastrous military campaign in the Balkans can only do harm to the reputation and prestige of the United States far beyond what the 3 years of inaction by the administration already have.

The Bosnian people do not deserve war. Americans do not deserve to die in support of a policy that will not bring peace to the Bosnians. What we can and must do is help the people of that nation help themselves. If we truly want to guarantee lasting peace in the Balkans, we need to give the Bosnian people the tools of peace: the means to defend themselves from renewed Serb aggression.

Mr. President, more than 3 months ago I introduced legislation to provide the Bosnian people with American arms and training that they need to defend themselves. That legislation calls upon the administration to lead an international effort to coordinate contributions from those countries who wish to join in helping the Bosnians acquire the means of self-defense.

I will do everything in my power to help the Bosnians acquire the means to defend themselves. But I cannot, I do not, and I will not support sending American soldiers to fight, and to die, in Bosnia for the sake of an agreement that offers no more than a brief pause while all sides prepare for the next round of Balkan wars.

Mr. President, I thank you. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Washington is recognized for 9 minutes.

Mrs. MURRAY. Mr. President, I rise to express my qualified support for the deployment of United States military personnel as part of the NATO force to implement the Bosnia peace plan.

The President has made a compelling case to the American people in support of U.S. participation in the NATO peacekeeping force. He has said that

the NATO military mission will be clear, limited, and achievable; and that the risks to our troops will be minimized.

Congress has had the opportunity to go over this plan carefully, through a series of extensive briefings and hearings, which have been held over the last few weeks by at least four committees. Through this process, we have gotten answers to many of our questions, but certainly not all of them.

As the polls and phone calls reveal, the public is extremely wary about this operation. They know this is a mission with an uncertain outcome, where American sons and daughters may lose their lives. They are worried that our troops will be dragged into a civil conflict, despite our intentions to the contrary.

I have set aside extra time over the last several weeks to meet with and hear from constituents on this issue, many of whom have sons, daughters, husbands and wives likely to be deployed in Bosnia. I have listened to their fears and reservations. They are understandably worried—about landmines, snipers, civil disorder, undisciplined local factions, hostage taking, and other risks inherent in this mission.

And like most Americans, my constituents wonder aloud why the nations of Europe have not been able to solve this crisis on their own. Knowing how pressing the needs are here at home, they are weary of the constant need for American leadership abroad. Many resent the U.S. in the role of global policeman—again.

I have also met with relief workers who have been working on the ground in Bosnia, to learn from their perspective how much rebuilding lies ahead for the people of this war-torn nation. This is an extremely important issue, because the success of NATO's military mission will be measured against the gains made in the civilian sector to reestablish a viable economic and political life throughout Bosnia.

While it is important to point out that NATO's implementation force, or IFOR, will not be responsible for the conduct of humanitarian operations, the two operations will work to complement one another. But the IFOR will not be a police force, and it will not conduct nation-building. Nor will the IFOR address the numerous issues surrounding the return of refugees. Rather, IFOR's mission is simple and straightforward—to keep the peace so that civilian and political leaders have an opportunity to rebuild Bosnian society.

Our military leadership has repeatedly reassured Congress that the limited nature of this mission can be accomplished in 1 year's time, with most of the military tasks contained in the agreement accomplished in the first 6 months. After that, IFOR's role will be to maintain a climate of stability so that the civil tasks outlined in the peace agreement can take root.

In the words of Secretary Perry, the goal is to "break the cycle of violence" so that the civilian efforts—economic development, free elections, and the return of refugees—can have an opportunity to take hold. But regardless of what the situation looks like 1 year from now, the Secretary has said that "we must not be drawn into a posture of indefinite garrison."

Mr. President, it is this very limited mission that I am agreeing to with my vote today. I want to be clear—my support for this mission is qualified. I will be following developments closely in the weeks and months ahead. While I believe it is in our national interests to participate in a limited way in this operation, I feel very strongly that once we have paved the way for the Bosnian people to make peace, our role will be over and we should leave.

Yes, we can provide the opportunity for peace. But if, after a year's time, the Bosnian people themselves have not seized this chance, we should and must leave.

Having said that, I do believe that what we are about to do is incredibly important. Certainly this deployment carries risks. But I believe those risks must be measured against the promise for peace this agreement contains. The conditions are right for peace in Bosnia. And like Secretary Perry, I have concluded that the risks to the United States of allowing the war to continue are greater than the risks of enforcing the peace.

I agree with the President, our Secretaries of Defense and State, and our Nation's top military leaders. The United States has critical political, economic and security interests in Europe, and the war in Bosnia threatens those interests. The Dayton peace plan is the first opportunity we have had to end the war, and I believe we have to give it a chance.

In implementing the peace agreement, NATO will be embarking on its first land operation in history. Every NATO country with the exception of Iceland will be committing troops to this operation. The United States will contribute one-third of the necessary troops for IFOR. The British will provide 13,000 troops, the French 8,000. In addition, more than a dozen non-NATO nations have indicated a willingness to participate.

Our troops will be headquartered in Tuzla, where they will also have with them a Nordic brigade of close to 4,500 troops. 1,000 of those Nordic troops have been stationed in the Tuzla area for over a year, and will be able to provide our troops with important information on the region and its risks. Perhaps most astonishingly, there will be a Russian brigade that will be a part of the American division, numbering several thousand troops.

The NATO mission, while carefully planned and trained for by our Nation's best military leaders, faces many uncertainties. We owe our troops no less than the finest training and equipment

possible, and in this regard we can take great reassurance. We know that the troops we are sending to Bosnia are strong, capable and ready. They have undergone thorough and intensive training over the past several months. They have endured very rigorous and specific exercises, unique to the situation they will face in Bosnia, including mine training and basic combat proficiencies.

American troops will be heavily armed, and will have the authority to respond with decisive force to any threat to their own safety. Our troops will take their orders from the American General who commands NATO, General George Joulwan. For his part, General Joulwan has insisted that the daily training scenarios that our troops are subjected to be increasingly demanding, so that, in his words, "the scrimmage should be harder than the game".

Mr. President, one thing we do know for certain is that the nations of Europe have not been able to solve this crisis over the last 4 years. In absence of any clear leadership, day after day the war deepened, becoming a festering wound in the center of Europe. A quarter of a million lives have been lost to war, ethnic cleansing, and genocide. A generation of children has been terrorized and traumatized. Thousands of elderly have been cast from their homes and turned into refugees with no place to go.

It has been American leadership that finally made a difference. American leadership generated a cease fire. American leadership brought the parties to the peace table. And now it will take American leadership to ensure that NATO remains strong enough to prevent the peace from collapsing.

Many Americans—including my own constituents—question the need for NATO as we approach the next century. The Soviet Union has collapsed. Why, they ask, should America pay the money and put our troops on the line in support of an alliance whose time—in the eyes of some—has passed.

I believe we have a very direct national interest in ensuring that NATO remains an effective and credible security arrangement for the United States and our European allies. Ours is an alliance in support of democracy and freedom, and we are the leader of that alliance.

Now is not the time in history for America to question our leadership role in the world. Continued American global leadership is in our national interest, not only in the matter before us regarding Bosnia, but more generally in this post-cold war era. Nations around the world are watching. If the aggression that has taken place in the Balkans over the past 4 years were to go without challenge, other nations will take a lesson.

Congress gathered just yesterday to hear the moving speech of Israeli Prime Minister Shimon Peres, who faces the daunting task of keeping his

Nation on the path toward peace in the wake of former Prime Minister Rabin's assassination.

Mr. Peres reminded us gently of the role America has played in this century, and the responsibilities we carry into the next. He urged us to accept what history has laid on our national shoulders. He reminded us that there are some things that only America can do. America alone, he reminded us, can keep the world free.

We do not know who will be in charge in Russia, China, or Iran 10 years from now. Those nations may be moving closer to democracy, or they may be led by repressive regimes with nuclear capabilities. We simply do not know today.

Because of the uncertainties we face in the world, we in the United States can not afford to fall back to the approach we took after World War I, when a weary nation said "enough". The vacuum was filled promptly, in that case with the most horrendous outcome.

Mindful of such history, I would echo the sentiments of President Clinton when he says, "My fellow Americans, in this new era there are still times when America and America alone can and should make the difference for peace."

To my own constituents, and to Americans across this great Nation of ours, I want to say: I know you are weary. But in my view, we do not have the luxury of wishing away the world and tending our own garden as if events around the world have no effect on us. We must continue to lead, and in doing so, we are most certainly serving our own national interests.

But you are right. This will be a difficult mission to undertake. The climate in Bosnia at this time of year is brutal, the terrain difficult, and the risks many. Even if all goes extremely well, we must be prepared for casualties. This is an inevitable fact of life that accompanies every deployment. We should remember, for example, that during Desert Shield, the staging phase before the Persian Gulf war began, we lost 84 American troops before even a single shot was fired. And although the situation we are entering in Bosnia is vastly different, it is tragically unavoidable that accidents and mishaps will claim the lives of some of those deployed. And so we must prepare ourselves as a Nation for this consequence.

But we must remember that throughout this "American century", as it has been called by some, the United States alone has set the standard to which so many nations now aspire. And in keeping with our vision as a people, since the end of the cold war we have led the international community in breaking new ground on behalf of democracy and the rule of law. In situations ranging from Cambodia to Haiti to Bosnia, we have helped to secure peace and freedom.

I think we have to acknowledge up front that as we undertake these endeavors, we do not fully know yet what

model works, and under what circumstances. And that is what makes votes like today's so difficult. But this is no excuse for this Nation or any other major world power to throw up our hands and walk away from the difficult problems and challenges we face in this post-cold war era.

On this point, I think the observations of Lakhdar Brahimi, who heads the U.N. operation in Haiti, are relevant. When asked what we have learned in Haiti that may be relevant to Bosnia, he said:

... With operations like these (in Bosnia and Haiti), he said, the international community is embarking on something completely new for itself, and for which it does not yet have all the skills. It isn't even sure what it wants and certainly doesn't have all the money it needs to do it. So we take a country by the hand and accompany it a little bit, while it tries to stand on its own two feet. We don't do it perfectly, but it's still useful, even if it doesn't create paradise. But no one should kid themselves. It's a constant uphill struggle.

And so we should sober our expectations, but not dampen our resolve. For the sake of our own national interests and those of our allies, we have to move forward—with prayer and conviction.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Utah is recognized.

Mr. HATCH. I thank you, Mr. President.

Mr. President, this body now debates again whether we support the deployment of U.S. military forces into a European theater of war. We have debated this proposition twice before in this century.

In World War I, we sent our troops to engage in "the war to end all wars." After the slaughter, after the victory, America withdrew from the European stage; and, before the century reached mid-point, we found ourselves again debating whether it was the U.S. role to engage in European wars.

The world was transformed by our historic decision to enter that war. The world was transformed by our decision after the victory to remain engaged; and, for most of the rest of the century, this country stood for the expansion of freedom and the containment of tyranny.

Perhaps some of us forgot that one of the reasons we were so motivated after World War II was because this nation had been horrified by the scenes of depravity under the Third Reich and the Japanese empire. When we saw the horrors of the concentration camps, we declared, with commitment, "never again."

Generations of Americans raised after that great allied victory truly believed that never again would we tolerate genocide in Europe. The very notion of civilization was redefined to include this idea—until the war broke out in Bosnia.

For almost 4 years, we have witnessed the horrors of "ethnic cleans-

ing" in central Europe. Up until a few months ago, we regularly saw massacres of innocents, most often Muslims. "Never again," came back to haunt us. "Never again," became the hollow cry at the end of a century, taunting us that we could never assume progress from barbarity.

Many of us in this body believed we had to act. While we accepted that we could not make a persuasive case that U.S. troops needed to enforce or protect a vital interest, we believed that the world's remaining superpower had the power, the means, and the moral responsibility, to act.

We voted, again and again, to lift the immoral arms embargo on the young Bosnian state, which was largely unarmed, and was the target of the barbarians of "ethnic cleansing."

This summer, we passed legislation, with a strong bipartisan 69 votes, to lift the embargo.

The Administration, proclaiming concern for the Bosnians, argued that lifting the arms embargo would cause the Serbs to attack the eastern enclaves of Zepa and Srebrenica. For this grotesquely false reason—a reason bloodily refuted by the massacres in Srebrenica that occurred anyway—the Administration argued that we could not let the victims defend themselves. The Administration argued—again and again—that lifting the embargo would spread the war and would require the use of thousands of U.S. forces to extract the U.N. and allied forces. And so, the Administration argued that lifting the embargo was not an acceptable course of action.

Now, less than a month after the signing of the Dayton Accord, the Administration is deploying United States troops to Bosnia to implement the military annex of that accord.

There is a temporary truce in Bosnia. The killing has mostly stopped. The ethnic cleansing has not. And, the administration believes, most sincerely, that the deployment of the NATO Implementation Force, now known as IFOR, will, in the words of President Clinton, "help create a secure environment so that the people of Bosnia can return to their homes, vote in free elections, and begin to rebuild their lives." The administration expects this to take approximately 1 year.

Mr. President, I respect the President's prerogative in foreign policy. I believe this is a principle we must respect if we are to convey the proper influence and power of this great Nation overseas. I supported this principle under previous Presidents, and I strongly objected when the Members of the opposing party in this body sought to frustrate Presidents Reagan and Bush.

I was disappointed when this body passed the resolution supporting President Bush's decision to deploy to Iraq by merely 52 votes. We had a clear vital interest at stake then. And, had we waited, we now know that our troops would have been subject to the weap-

ons of mass destruction Saddam Hussein was on the verge of using.

Mr. President, I respect the principle of the President's prerogative in making foreign policy, but I have grave reservations—grave reservations—about the Bosnia policy on which the President is embarking.

But, I wish to make one point exceedingly clear: I believe that the Congress must show our support for the U.S. military. This Senator will always support American troops abroad.

I have recently learned that a Utah reserve unit will be among those troops deployed to this region, and several other Utah reservists have been put on alert. There is no way that this Senator will not do anything and everything to make sure that those troops have the backing they need in terms of equipment and materiel and moral support for what they do to serve our country's objectives.

But, appreciation and support for how well our troops carry out our policy does not mean we cannot question the policy itself as well as engage in some retrospective about U.S. policy.

I wish the President had taken a different approach on Bosnia 3 years ago. Candidate Clinton said he would lift the arms embargo. As I have said, I believe it was immoral to maintain an arms embargo against Bosnia while it was subjected to slaughter by a heavily armed Yugoslavia. I must say that, with his record, there is a credibility question when the President asserts it is the "right" thing to now send troops to Bosnia.

I believe that the Atlantic alliance is the most successful military alliance in the history of the world. The major democracies of the world held together throughout the cold war, and Europe remained secure. The world is still a dangerous place after the cold war, and I believe that NATO must remain relevant. I support the enlargement of the alliance, because I believe the alliance promotes political values as well as enforces security, and I wish to support the democracies of central Europe.

But NATO's credibility has suffered greatly during the Bosnia debacle. Tied by the dual key with the United Nations, the greatest military alliance was ineffective while genocide occurred. NATO stood by while cities and towns were shelled, while humanitarian convoys were turned back, while helicopters violated a no-fly zone. A NATO F-16 was shot out of the sky this summer by Serbs using Russian military hardware.

The Administration argues that NATO credibility is at stake. But I must ask: What happens if the I-For goes to Bosnia, and, after 1 year and the departure of I-For, the parties return to war? Will NATO be more credible for having gone to Bosnia with great fanfare, but having returned without success, or worse, with casualties we cannot justify?

This administration proclaims that this is a chance for peace in Bosnia. I

do not doubt the President's sincerity. And I do not doubt that the administration is motivated by noble notions. I fear, however, that its ideals are immature.

Peace is not the absence of conflict, Mr. President. We will always have conflict. Peace, I believe, is the management of conflict, the management of conflict so that it does not escalate into violence and war.

And, when I look at the Dayton Accord, Mr. President, and the record of this administration, I fear that many issues about managing the conflict remain unaddressed.

The administration has spoken about a clear exit strategy, partly because we in the Congress have demanded it. But if we do not have a vision of how to manage the conflict after our mission expires, I see very little reason to go in at all. We need a post-exit strategy, Mr. President, and I've heard very little of one.

A post-exit strategy—and the success of the I-For mission—depends on a number of factors. I believe these include, but are not limited to: First, ensuring that the Bosnian Serbs do not pursue territorial gains beyond those they have won in this ignominious partition known as the Dayton Accord; second, completing the agreement between Croatia and Serbia over Eastern Slavonia; third, building and maintaining a cooperative relationship between the Bosnians and the Croatians; and, most importantly, fourth, maintaining the political and military viability of the Bosnian state.

Elements within the Bosnian Serbs have been proclaiming against the Dayton Accord since the day they were signed. Demonstrations have been staged almost every day. Are we to proceed while these rogue elements threaten, with arms, to ignore the accord?

The administration tells us that it will rely on President Milosevic of Serbia to control these elements. President Milosevic has been very cooperative and effective, we are told.

President Milosevic, I recall, was the instigator of the war against Bosnia and has reneged on his promises on numerous occasions over the past 4 years. Perhaps Milosevic has converted—and I believe in conversion—but I have doubts about the sincerity of those who convert after a mild NATO bombing campaign.

Mr. President, I still do not know what the administration intends to do if our U.S. forces are subject to mortar attacks from rogue elements.

For example, if we're attacked from a populated area by rogue elements that move freely within it, how will we respond? With a phone call to Belgrade? How does President Clinton plan to hold President Milosevic accountable for keeping the Bosnian Serbs in line with the accord?

I am also greatly concerned about the agreement between Croatia and Serbia over eastern Slavonia. We

should recall the brutal occupation of that Croatian territory. We should recall the pictures of the city of Vukovar, left a smoking rubble by the Serbs, complete with mass graves.

Since then the Serbian Army has occupied the area, cleansed it, and extracted its natural resources. The Croats and Serbs signed an agreement just before the Dayton Accord to return eastern Slavonia to Croatia. The agreement allows for 1 year to revert the territory to Croatia, but it has a 1 year extension clause, to be exercised by either party.

The implementation of the international force to monitor the territory is already stalling. I predict here that the Serbs will ask for that 1 year extension; and, 1 year from now, Eastern Slavonia will still be occupied by the forces of Belgrade.

It is a powder keg. If we do not ensure the peaceful transfer of that occupied territory, there will be a war within 2 years, and that war will spread to Bosnia, and the I-For mission, with its casualties, will have been for naught.

Mr. President, I am deeply concerned that the administration has not focused on this issue.

Mr. President, we need to do more to strengthen the ties begun with the Washington Agreement last year to build the Croat-Muslim relationship.

I have little expectation that the Serbian entity will ever participate in the unitary government of Bosnia-Herzegovina. But without the Croats and Muslims cooperating, Mr. President, we may end up participating in a three-way partition conducted by ethnic cleansing.

Since the beginning of this war, I have argued for a policy of lift-and-strike. Lift the arms embargo on Bosnia and Croatia, and allow them to defend themselves against Serbian aggression. Use air power to dissuade the aggressors while the victims arm themselves.

We saw a version of lift-and-strike this summer, when the Croatian Army, strong again, recaptured the Krajina and coordinated with the Bosnians to deliver military defeats to the Serbs. Our NATO forces went into the skies in August and September to force the Serbs to accept a choice: more military defeats or a negotiated settlement. Lift-and-strike worked, Mr. President, as we said it would.

Lift-and-strike was posited on the premise that a balance of power on the ground would effect a real peace, a peace based on the cessation of violence through deterrence.

Now that the President has decided to deploy the I-For, I believe that it is essential that we ensure that Bosnia is able to defend itself. That, Mr. President, is the only way that we can guarantee that the Bosnians shall not be subject to more ethnic cleansing, to more deadly attacks—unless we plan to keep I-For there forever.

Mr. President, if we are not absolutely dedicated to arming the Bosnian

Government, we should be realistic enough to know that the war will reignite shortly after IFOR departs. And then, Mr. President, we'll ask, what was the point? For what did NATO expend its credibility? For what did America risk its sons and daughters? A decent interval to another war is not an acceptable answer, Mr. President.

So 5 years before the end of this bloody century, we debate again sending our troops to Europe. We didn't need to come to this point. The Dayton Accord is abstract, the realities on the ground brutal and complicated. We didn't need to come to this point.

But America has given its word, and credibility of that word, we are told, is at stake. Let me preface my final comments by saying that I am equally concerned about America's standing abroad and about maintaining our leadership in NATO.

But, our credibility is more threatened, I believe, by pursuing a mission with guaranteed casualties and uncertain goals, than it is by telling our allies now that we do not support this policy, this deployment, and that we will arm the Bosnians until they can defend themselves.

But if this policy will be implemented—and already our troops are arriving in Bosnia—we must try to improve it. If we are to effect any positive influence here, Mr. President, we must insist that we arm the Bosnian government so that when we leave, we are not a few steps ahead of the next conflagration.

Therefore, Mr. President, I support the Hutchison-Inhofe resolution opposing the President's decision to deploy, but strongly support the Dole-McCain resolution commending U.S. troops and setting conditions for the deployment which, I hope, will increase the possibility that this mission will not have been a waste of blood, treasure, and, yes, credibility.

Mr. President, I commend the majority leader for his statesmanship in recognizing that President Clinton is our President, that he does have a right to put these troops there, a constitutional right, and once they are there, we have an obligation, as patriots, to stand with them and to help them.

So I will support the Dole-McCain resolution, but I also support the Hutchison-Inhofe resolution as well.

Mr. President, this is a serious thing. I have been over that land. I have been over that territory. I have met with people on all sides of these issues. I have read the histories of the last 600 years of that area. And I have to tell you, I think putting our young people there is a tragic mistake. But once they are there, I am going to do everything in my power to support them.

Mr. President, I yield the floor.
The PRESIDING OFFICER. Under the previous order, the Senator from Vermont is recognized for 7 minutes.

Mr. LEAHY. Mr. President, the debate over whether the United States should contribute its troops to a NATO

peacekeeping force in Bosnia will be the focus of many speeches on this floor in the coming days. It is a subject all of us have anticipated and pondered and wrestled with for some months now, and it is one of those decisions that no one likes to make. It is fraught with uncertainties and the undeniable likelihood that Americans will be injured or killed.

There will be many chances to speak on this, but having thought about it for some time and discussed it with the President and Secretary of Defense and others over the past weeks, and after listening to the President's speech last night and the responses of some of those who oppose sending troops, I want to say a few words as the debate begins.

Mr. President, even before the peace agreement was signed at Dayton the House of Representatives passed legislation to prevent the President from deploying United States troops to enforce a peace agreement without the consent of Congress. I believe the President should seek the approval of Congress before sending troops to Bosnia, although I do not believe the Constitution requires it in this instance where the parties have signed a peace agreement. I felt it was both unhelpful and unnecessary for the House to pass legislation in the midst of the negotiations and before a peace agreement was signed.

But just as President Bush sought congressional approval for sending United States troops to the Persian Gulf—although half a million were there before approval was given—President Clinton has sought congressional approval, and there will be ample time to debate it before the formal signing of the agreement.

The decision to send Americans into harms way is the most difficult and dangerous that any President has to make. It should be done only when a compelling national interest is at stake, and when there is no other alternative.

Like many or perhaps even most Senators, the majority of my constituents, at least of those Vermonters who have contacted me, do not believe that it is in our national interest to send Americans to Bosnia. They genuinely fear another costly, drawn out quagmire like Vietnam. Some of them fought in that war, or had family members who died there. Others fear a debacle like Somalia, where in a matter of days a well-intentioned humanitarian mission became a poorly-thought out, ill-prepared peacemaking mission that ended in tragedy.

It is the President's job to convince the American people that Bosnia is not Vietnam, it is not Somalia, and that our national interests compel us to take part. He made a good start last night. There are still important questions that need answers—the President said as much himself—but I am convinced that the case for sending Americans to Bosnia can be made, and I intend to help the President make it.

Mr. President, in the past 4 years, a quarter of a million people, the vast majority defenseless civilians, have lost their lives in the former Yugoslavia. We have all read the blood curdling reports of hundreds and even thousands of people being rounded up at gun point and systematically executed or even buried alive.

Countless others have had their throats cut after being horribly tortured. Some have been made to eat the flesh and drink the blood of their countrymen. Thousands of women have been raped. Men have been forced to watch their wives and daughters raped and killed before their eyes. All simply because of their ethnicity, or because they lived on land others wanted for themselves.

The war has produced two million refugees, victims of ethnic cleansing. Hundreds of thousands more have lived in squalor for years in the rubble of what remains of their homes, without electricity, heat or running water.

There are many, including myself, who believe that NATO should have acted much earlier and with far greater force to stop the genocide in Bosnia. I opposed the use of American ground troops to try to win the war, but we gave too much deference to those who said that airpower would never compel the Serbs to negotiate peace. NATO should have been given the authority to use unrelenting force when UN resolutions were violated time and again with impunity.

Our greatest collective failure was to put the United Nations in charge of a peacekeeping mission where there was no peace to keep, and when it was unwilling or unable to back up its own threats. These failures, which caused grievous damage to NATO's credibility, will haunt us for years to come.

But the situation has changed dramatically since then. Sustained NATO bombing, coupled with gains by the Moslem and Croat forces on the battlefield, have shown the Serbs that they cannot win what they set out to achieve. The exhaustion of the warring factions, coupled with a period of extraordinarily forceful American diplomacy, has created an unprecedented opportunity to end one of the most brutal wars the world has seen in half a century.

There should be no mistake. The credibility of the United States Government is deeply invested in the success of the peace agreement, and success of the agreement depends absolutely on NATO's enforcement of it. The parties signed with that understanding. At the same time, NATO's own credibility and effectiveness depend on US leadership. Indeed, without US participation, there will be no NATO force, and the peace agreement will almost certainly collapse.

Mr. President, since the breakup of the Soviet Union and the end of the cold war, NATO's future has been uncertain. Some have suggested that NATO has outlived its usefulness. Oth-

ers say that since the rationale for NATO—deterring a Soviet invasion of Europe—is gone, NATO should become a political alliance. Still others want to quickly expand NATO to include all or most of Eastern Europe, and perhaps even some of the former Soviet republics.

I mention this because NATO's future is one of the most compelling reasons why it is essential for the United States to participate in a NATO peacekeeping force in Bosnia.

I have been among the strongest supporters of assistance to Russia and the other former Soviet States. A democratic Russia is obviously a major foreign policy priority for the United States. Despite many setbacks, there has been remarkable progress in Russia, Ukraine and elsewhere in the former Soviet Union. But who can predict the next decade? Who can say that the fervent nationalism that remains strong there will not increase to a point when it becomes threatening? It is simply too soon to say what lies beyond this transitional period. I have been reluctant to support the rapid expansion of NATO without a thorough discussion of the implications, for fear that it could fuel the very nationalism in Russia that we seek to discourage.

But neither am I among those who see no role for NATO today. On the contrary, the United States has an enormous stake in preserving NATO's strength. While NATO's focus will undoubtedly shift over time, the future holds too many uncertainties, and there are too many areas of potential conflict around the world where important interests of the United States and our allies are at stake, to allow NATO's strength to erode.

There is no other alliance that comes close to NATO, in power, in readiness, and in importance to the United States. NATO may not have sought the role of peacekeeper in Bosnia, but neither can it avoid it.

Mr. President, I cannot say whether this peace agreement will survive the test of time. Perhaps no one can. There is ample reason to be pessimistic, given the history of broken promises and ethnic hatred in the former Yugoslavia. Since the agreement was signed, it has become clear that no party is completely satisfied, and some have expressed grave misgivings with some aspects of it. If the agreement unravels, NATO Forces may be forced to withdraw, rather than be drawn into the fighting. Even withdrawal would be risky.

But virtually everyone knowledgeable about the situation there agrees that this is by far the best chance for peace since the war began 4 years ago. We and our European allies have an immense interest in preventing the continuation of a destabilizing war in Europe, and I believe we must take this chance.

The President has taken a courageous step, a step that reflects the best of this country. Every American should

consider the alternative. More mass murder. More towns shelled and burned. More starving children. More orphans. More horrifying atrocities that are reminiscent of the dark ages. If this does not compel us to help enforce an agreement we brokered to end this calamity, what further amount of inhuman brutality would it take? Should we wait for the slaughter of another hundred thousand, or two hundred thousand?

The President is right. We have a moral responsibility to take part. The Europeans were unable to end the war themselves. United States leadership was not the only factor, but without it there would be no peace agreement, and the war would go on indefinitely. We should be proud of it, and stand behind it.

Some have suggested that we can lead without sending troops. I disagree. We cannot maintain our credibility as the leader of NATO if we are not prepared to assume some of the risk. We should remember that two thirds of the NATO Force will be troops from our NATO allies and others.

Mr. President, our troops are the best trained in the world, but we cannot eliminate the risks. There are 2 million landmines in Bosnia alone, hidden under mud and snow. Each one cost only a few dollars, but one false step could mean the loss of any American soldier's legs or life. The Pentagon says that landmines are among the most serious threats our troops will face there.

This is ironic, since the Pentagon has been actively lobbying against my efforts to show leadership by halting the use of antipersonnel landmines, which claim hundreds of innocent lives each week. Two-thirds of the Senate voted for it, but the Pentagon refuses. In the past few months, several of our European allies have stopped their use and production of these indiscriminate weapons, but the Pentagon refuses.

A quarter of the Americans killed in the Persian Gulf died from landmines. A quarter of American casualties in Vietnam were from mines. I can only wonder how many more Americans will needlessly lose their legs or their lives from landmines before the Pentagon gets the message.

We cannot eliminate the risks, but President Clinton has established the right conditions before U.S. troops can be deployed. If the mission is limited in time, clear in scope and achievable, as the President has insisted, we should support it. Our troops must be backed by broad rules of engagement that enable them to defend themselves with whatever amount of preemptive force is needed in any circumstance. That does not mean waiting to shoot until they are shot at.

Mr. President, I expect to speak again as the debate on this unfolds. I intend to support the President, and I expect there will be Senators I deeply respect who are on the other side. But at the end of the day, if Americans are sent to Bosnia as I believe they will be,

I have no doubt that we all will support them, and we will all be proud of them.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER (Mr. MCCONNELL). The Senator from Kansas is recognized.

Mrs. KASSEBAUM. Mr. President, there have been many eloquent speeches given today and last night. I am not sure that much new can be said. Over the last several years, we have debated the pros and cons of what to do about Bosnia, and I have begun to feel like Hamlet. If I could just review some of my thinking at this point, I would like to.

The tragedy in former Yugoslavia is truly momentous. Nobody will deny that who has watched this occur over the last several years. We have witnessed, in the past several years, atrocities in Europe that we vowed would never again be allowed. We have stood by while our most important and fundamental military alliance, the North Atlantic Treaty Organization, that is a fundamental part of our Nation's security, tottered on the brink of disaster, its members squabbling and indecisive while war waged on Europe's doorstep. And we have struggled to understand the nuances of a conflict fueled by both ancient animosities and a contemporary hunger for power, by both the collapse of communism and the friction of ethnic and religious hatred.

For most Americans, this is a distant war in an obscure land about issues that do not directly affect our interests. All that may be true. And, yet, we could not ignore it. For the past 4 years, we have feared, above all, that it would spread and embroil the great powers, particularly the United States and Russia, on opposite sides of a war neither of us wanted. We have felt deep compassion and remorse as this war, like all wars, took its greatest toll on the innocents: in refugees driven from their lands, in homes and towns and villages destroyed, in a generation of children, Mr. President, whose lives have been shattered.

We have tried to avoid involvement because our direct national interests were not at stake. This, we said, was a European problem. And, yet, because we understood that important national interests could be put at risk if the fighting continued, we could not simply wash our hands of the matter.

So America and our European allies took a series of halting steps and tentative measures that over 4 years tarnished our image and called into question our resolve. We imposed an arms embargo on Yugoslavia and later came to regret it. We established safe havens and then failed to protect them against assault. We promised to deliver food and humanitarian supplies to refugees and displaced persons but then failed to use the force necessary to deliver.

Those efforts all failed. As a consequence of those failures, we had become involved in Bosnia. American credibility, prestige, and leadership,

the intangibles that are so important to our national security around the world, all were damaged. We found ourselves in the worst of situations. America put itself on the line in Bosnia, but we had made no commitment to shaping the outcome.

Now we are at a crossroads. The issue before us is whether America should help bring this war to a close. We should, and through our good offices and diplomatic leadership we have done so. I share President Clinton's view that the United States should be a leader for peace. However, I also share the deep reservations of many and that have been spoken of many times today about sending American forces into the Balkans. In my mind, the key to the success of the NATO operation is not the achievement of a military objective, but rather the commitment of the Bosnian, Croatian, and Serbian leaders and their people to peace. Absent that strong commitment by the parties to make the Dayton accord work over the long term, no number of international troops will achieve peace. Mr. President, I am not convinced that the three parties to the Dayton accord will stand by their commitments and sustain the peace. We certainly would all pray for that result.

All three parties have incentives to sign now, but they do not have the same incentive to keep the peace come spring or after our troops depart. By setting an arbitrary 1-year timetable for the departure of our forces, we invite the parties to wait us out. The Dayton accord is full of ambiguities with empty guarantees of peace, and that probably would not have been possible.

Yet the reality is that our troops are going. They are already, many of them, there. Thousands more will follow in the coming days. Whether we like it or not, the President's decision to deploy is behind us. The United States has made a commitment to this operation. Having made that commitment, America must not cut and run. To do so would send a message of weakness around the world that would damage our national interests in a way that the Yugoslavian war itself never could. The reality is that we are involved in Bosnia, and all Americans must do what we can to see this operation through to a successful conclusion.

The decision now before us, to my mind, should involve how best to build the prospects for success. I believe Congress has little choice but to support our forces and the operation, because to do otherwise would be to diminish our chances for success, and success is the task at hand. Today we are considering three approaches to the matter. Each is troubling, I suggest. One has already been rejected. I do not believe we should cut off funding with our troops already on the ground. Provoking a constitutional crisis at this point would not serve either our troops or our national interests. I also do not believe expressing support for our troops

but opposing the President's decision to send them enhances the mission's prospect for success. That would send an unequivocal message that America's support for this operation is shallow; a message that would be heard, I think, loud and clear by the parties in former Yugoslavia.

That leaves us with the approach of the Dole-McCain resolution. I commend the authors of that resolution, who have struggled with the very basic but difficult question left unanswered by the Dayton accords: How will we know when our mission is completed? Or put another way, how did we plan to accomplish a lasting peace in the region after our troops have gone?

I have serious reservations about the dual policy the Dole-McCain resolution advocates as a solution to this difficult question. On the one hand, American troops would participate in ostensibly neutral peacekeeping operation to separate the warring parties. On the other hand, America would lead an effort to arm and train one of the parties, the Bosnian Moslems. I have had reservations about this policy articulated by the administration, and I have deeper reservations about endorsing or even expanding that commitment in a congressional resolution. An American-led effort to arm and train, to put our troops in Bosnia at greater risk, could undermine provisions of the Dayton accord that obligate all parties to reduce their armed forces and could lay the foundation for an arms race in the Balkans. Any American effort to arm and train the Bosnian Federation also must recognize and deal with the delicate and contradictory nature of the new Moslem-Croat alliance.

Finally, our European allies have serious reservations about a United States-led effort to arm the Bosnian Federation. While many of my colleagues have decried European leadership on Bosnia, I believe that as a member of NATO we have an obligation to coordinate our policies closely with our allies. But despite these concerns, the Dole-McCain resolution is, to my mind, the only real option now before the Senate. I do support it because I firmly believe that Congress must go on record in support of this operation which already is underway.

The President has made clear that the operation will proceed with or without congressional support, but I am not sure it can succeed without congressional support. With our troops at risk I believe success must be our highest priority. I yield the floor.

Mr. BRADLEY. Mr. President, I rise today to discuss the very important question of whether or not to authorize the deployment of United States ground troops to Bosnia. Let me start with where I have been on this issue and continue with where I am today.

Mr. President, I have long believed that Bosnia itself is not a strategic interest of the United States. I have agreed more with Bismarck who said that the Balkans were "not worth the

loss of one Pomeranian grenadier" than I have with those European politicians who have seen it as the contested terrain necessary to extend their countries' reach to the middle East. In essence, the Bosnian conflict represents the conflict of Western Christendom, Orthodox Christendom and Islam and it flows from grievances passed on from grandparent to grandchild over centuries.

While the United States has long had a vital interest in the security of Europe in general, there has been no indication over the past 4 years that the conflict in Bosnia would spread in any significant destabilizing way, notwithstanding the legitimate worries about Kosovo, Macedonia, Greece, and Turkey. Further, while the United States has humanitarian interests related to countering ethnic cleansing and other barbaric conduct, I do not think that it is possible for the United States to intervene and to stop every ethnic conflict in the world. Why Bosnia and not Rwanda has never been answered by the architects of our current policy.

The most striking thing about the Bosnian war is that virtually no one, from the beginning, championed pluralism. Instead, we accepted the premises of the warring parties and lost the high ground.

I also believe that there have been a lot of missed opportunities to curtail the horrors during the four years of this conflict. Because we did not seize them, we have been left with a much more difficult situation. For example, in the Bush administration, the United States, fresh from the triumph in the Gulf, could have threatened massive air power to deter the Serbian President Milosevic from pursuing by force his ambition to create a greater Serbia. We failed to do so and the conflict expanded exponentially into war.

Similarly, in the first 6 to 12 months of the Clinton administration, I believe that there was another opportunity for the United States to warn Milosevic and then to act directly against him if he persisted. The United States could have sent a high level emissary to apply diplomatic pressure and to threaten air attacks to deter Serb aggression. But the United States failed to act in any meaningful way and the war has continued for a period longer than the Korean war.

In the absence of U.S. action, I have supported equalizing the military imbalance in the region. While certainly not a solution to the underlying conflict, military parity is crucial to any last peace between the Bosnian Moslems, the Croats, and the Serbs. As a result, I voted repeatedly for lifting the arms embargo. But once again, we missed an opportunity and the embargo and military imbalance have persisted.

That is where I have been on this issue.

Mr. President, I recognize that some things have changed. We have a peace agreement initialed by Moslems,

Croats, and Serbs. We have the commitment of NATO to secure the military aspects of this agreement and we have the commitment of President Clinton to deploy 20,000 United States ground troops to Bosnia and another 5,000 troops to Croatia, as part of this agreement. Where Europe failed to get agreement, America succeeded but the results put us in the middle of Europe's most volatile region as not only a coguarantor, but the broker of the agreement.

Mr. President, I recognize also that several things have not changed. The ethnic enmity between the parties continues. The Moslem-Croat Federation remains fragile and divisions persist among the leadership of the various parties to the agreement.

As importantly, I still do not believe that Bosnia itself is a strategic interest of the United States. Indeed, if there were no counterbalancing factors, it would be my position that the United States should not deploy United States ground forces to Bosnia.

One of the primary problems that we are facing is that we are left to make this decision in a conceptual vacuum. Although the cold war has ended, no one has provided a coherent vision of the post-cold war world. Rather, ad hocism tends to rule the day.

This void is particularly pertinent for the United States. The United States is the most powerful country in the world. With that power, however, comes certain responsibilities. There comes the leadership responsibility to formulate a coherent vision of the world. Yet, no one, including the administration and its predecessor, has defined the role of the United States or NATO or their respective strategic interests since the days of the cold war. But those days have ended. Time after time since 1990, we have looked in the rearview mirror instead of ahead to the horizon of a new world. The retreat to a strategy of "cold war lite" is reflected in bloated defense budgets, confused priorities and a gradual erosion of American influence abroad.

I believe an administration's highest foreign policy priority is to develop a new conceptual framework and I believe a President's role is to first see that it is done and second, to articulate it often enough and persuasively enough so that the American people and the rest of the world know where we are going in foreign policy and why.

The administration's proposal for United States troop deployment in Bosnia is a prime example of the reigning ad hocism. And it brings with it, several grave problems:

To begin, how do we define success? The administration has not clearly stated how it will evaluate the success of the mission. Focusing only on the military mission, the administration has left great ambiguity, if not confusion, regarding the issues of refugees and disarmament. The result is very dangerous because you cannot really have an exit strategy unless you know

what it is you are supposed to achieve. For an exit strategy is not a deadline, it is a process for continuously evaluation means against goals.

By stating that the mission will not extend beyond a year, the administration also invites delayed violations. As a mechanism of control, a time limit leads to loss of control. A stated 1 year termination of our involvement is a temptation for the contending parties simply to delay a showdown for a year.

In hoping for a limited mission that could simultaneously solve the deeper conflicts, there has been an incomplete disclosure of where this action will lead. In a year from now, will United States troops be withdrawn only to allow the Croats and Serbs to carve up Moslem Bosnia? Will we feel any better just because our military objectives have been ostensibly achieved? Will the United States' leadership role be maintained and NATO's role restored if Bosnia falls into renewed conflict upon the withdrawal of NATO? Unfortunately, I think the answer is no. Do the Croats yearn so much for economic ties to Europe and the Serbs fear so much the resumption of sanctions that they will restrain themselves from conquering the Moslem enclaves once United States troops leave? Again, I fear the answer is no. Once we are down the road and involved, the most likely outcome is for this mission to continue—for NATO, with United States troops, to engage in the protection of Bosnia enclaves for the indefinite future.

A related, but distinct problem is the disconnect between the defined mission and our objectives. If the administration is to be believed, our mission is only military and can be completed in 1 year. Nevertheless, to justify the deployment of U.S. troops in this case, the administration has defined certain humanitarian interests—to prevent ethnic cleansing, to prevent a renewed conflict between the parties, and to create one federated Bosnian state. Neither the limited military mission that the administration has laid out, nor the hoped for year of "breathing space" will be able to accomplish those objectives. The administration is taking the rhetorical high ground, but its plan falls far short of delivering on the rhetoric.

No one is saying now that the Moslem enclaves are going to be the Berlins of the last years of the twentieth century with NATO forces placing a tripwire around them and protecting them in a dangerous world. Instead, the administration trumpets the brevity of the mission as if American forces 6 months on the ground is an inoculation against the deep hatreds that caused the ethnic cleansing in the first place. Such an attitude, from my perspective, is naive and wrong. I think the time has come for the administration to level with the American people about the logical end result of this mission. Only a lasting peace will avert us from being faced by Christmas 1996 with the choice of a longer commitment or failure.

In addition, there has yet to be any sufficiently comprehensive definition of either the rules of engagement or contingency plans. What will U.S. troops do in the case of cross-border conflicts, if the Serbs attack the Croats or the Croats attack the Serbs? What will United States troops do if the French troops in Sarajevo are directly attacked with the resulting loss of many French lives? Under what if any circumstances will U.S. forces be withdrawn prior to the completion of the military mission. These are very important issues, but there still are no precise answers as there were not when the Bosnian Serbs took UNPROFOR hostage following NATO bombing.

Lacking a coherent vision, there also appears to be little recognition of the implications of this 1 year decision and its potential outcome for our strategic interests throughout the world. If we withdraw our troops and Serbs or Croats subjugate the Moslem enclaves, there will be, for example, significant repercussions in the Islamic world, in the Persian Gulf, and elsewhere. Again the 1 year time horizon could put our withdrawal at a time of maximum uncertainty or danger in the Islamic world—a time when the old, well-known voices could be replaced by more strident fundamentalists—who regard renewed Bosnian horrors as a rallying cry and the United States as the villain who promised and then reneged. Whether such repercussions are worth the interests we are ostensibly saving have not, as far as I know, been addressed.

It is worth remembering the example of Ronald Reagan's Lebanon intervention. The Marines arrived, departed, returned after the Sabra and Shatila massacres and then spent over a year just hunkering down with tragic results.

Finally, those who say that there is no alternative are posing a false choice and ignoring the last 4 years. One might choose deployment as the best of two bad choices. But that does not mean that there were no more choices. A policy of strength that proceeded from a new strategic framework and was pursued from the beginning of the breakup of Yugoslavia was the alternative that no one talks about because it was not developed.

Despite these and other problems with this ad hoc approach, I recognize that there are counterbalancing concerns. Most notably, the President has pledged U.S. participation and the deployment of U.S. ground troops. I have said twice that the United States has not strategic interest in Bosnia itself. Paradoxically, because the deployment decision proceeded ad hoc, it places more emphasis on the downside of undercutting the solemn commitment of our President and of undermining the United States role in Europe where we do have strategic interests. As a result, we in Congress have a new level of responsibility. With all said, I believe that the word of the United States and

the ability of the President to lead and to make decisions as leader and Commander-in-Chief, are important elements of the United States' world position. The decision to deploy, however poorly thought out, if carried through and maintained over time, will send a strong message worldwide. It will, for example, show the Chinese that the American concern for human rights does not single them out, but is part of our worldview. It will say to the Japanese and other parties in Northeast Asia that an American President can deliver on his word. It will say to the Islamic world that, as with the Gulf war, a non-treaty commitment made by the United States can extend to Islamic territory as well as to Israel, and it will say to all of Europe that the United States remains a European power.

Further, while not of major significance, there are benefits from United States and Russian forces working together in the same field. By engaging in a joint military mission that has very limited objective, I believe that we will be helping Russia to take positive steps in its post-cold war development and once again, it will have geopolitical value in Asia by showing that the United States and Russia are building a new spirit of cooperation and friendship.

There are also potential benefits for NATO, although as I noted before, potential dangers as well. NATO has been searching for a defining role since the fall of the Berlin Wall. This, the first actual NATO deployment, not just a patrol or reconnaissance mission, marks NATO's departure into peacekeeping. This mission will include troops from the new European democracies, thereby providing a more useful bridge into the West than the ill-conceived drive for immediate NATO expansion. In addition, this mission has brought the French back into the NATO command structure, making NATO a more complete European force. One hopes, however, that the ambiguities in the agreement will not lead to alliance bickering and disagreements, even though the seeds have already been planted—with disagreements already arising over refugees, disarmament and the arming and training of the Bosnian Moslems.

Having weighed all of these considerations, I have reluctantly decided that it is in the best interests of the United States to support the deployment of U.S. troops at this time. I believe, however, that, contrary to administration rhetoric, this will be a very difficult and long mission. I urge the administration to level with the American people now and to do all within its power to improve the circumstances under which U.S. troops are deployed.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Under the unanimous-consent agreement, I would recognize a Republican.

Mrs. HUTCHISON. Mr. President, the Senator from Illinois has been waiting. We will yield him time.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I thank you and I thank my colleague from Texas for her courtesy.

There are some basic questions. Why have an Armed Forces for the United States? Why have a Chicago Police Department? Or a Louisville Police Department? One reason is to have stability, in a community and in the world community. And here, let me add that the great threat to the world today, unlike 10 years ago, is instability. Ten years ago it was nuclear annihilation.

The second reason for having an armed force and for having a police department is to save lives. Are there risks? Yes. If there is a problem in one part of the city of Chicago you may send in the police department. And, if there are problems around the world, the United States, along with the community of nations, may have to use the armed force that we had. There are, however, for the Chicago Police Department and the U.S. Armed Forces, greater risks in not maintaining stability here.

Let me add, while I support the President in this endeavor, the one thing that does concern me is the talk about getting out in 1 year. I hope that can happen. I hope we can be out in 6 months. I think the probability is, if our mission is to succeed—and it is important that it succeed—that we are likely to have to be there 2 or 3 years; maybe not with 20,000 soldiers, but with a substantial armed force.

I was critical of George Bush for not moving early, when problems erupted. And I cheered, in August 1992, when Bill Clinton made a campaign speech criticizing George Bush for not acting.

Then when Bill Clinton came in, I was critical of him for not acting. But I think what he is doing now is right. It is right for stability because of the danger of the spread of war.

If we do not follow through on this peace—and it is a peace, tenuous as it is—if we do not follow through, this is inevitably going to spread to Macedonia and Albania. Macedonia has more ethnic Turks than any other country, and Turkey has made clear, if there are problems in Macedonia, Turkey is going to move in. Our friends in Greece have made clear, if Turkey moves in, they are going to move if—and this thing will escalate very, very quickly. You will have hundreds of thousands of Americans—Armed Forces people—involved in a war, not 20,000 maintaining a peace.

The second thing we should remember, there are not too many clear lessons in history, but one of the clear lessons of history is religious wars spread very easily. What we have in Bosnia—nothing is completely clean there—but you have primarily a Moslem force, a Roman Catholic force, and an Orthodox Christian force. If anyone

thinks that when Moslem forces in Bosnia are under attack that Moslems in Pakistan, Saudi Arabia, and Indonesia, and elsewhere are going to pay no attention to that, you are dreaming. Religious wars spread very, very easily.

In terms of saving lives, it is very clear we should act. We have the agreement reached in Dayton, to the credit of this administration, the State Department, and others who were participants. Bosnia is half the size of Ohio. Bosnia has seen 250,000 people killed, 2 million people displaced.

We went into Desert Storm, invaded a country after a short time, and I do not know whether history is going to judge my vote against acting that quickly, though I said I was for using economic sanctions first and then acting. But I feared, if we acted, we would simply perpetuate Saddam Hussein in power. But make no mistake about it: One of the reasons we acted was oil.

Are we willing to act to save oil but not save lives? I do not think that is what America stands for.

I have heard on this floor reference to Somalia as a great disaster. Let me tell you. Somalia was George Bush's finest hour. Hundreds of thousands of lives were saved. The mistake was made, and I was at the White House when we worked out the compromise that we would have to leave before too long. And I see I am being signaled for time. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMON. Mr. President, Somalia saved lives. The mistake was in pulling out precipitously. I fear we may make the same mistake in Bosnia.

Finally, we have made a commitment to NATO. We have to live up—or we should live up—to that commitment.

Then I would add one other point. That is a word of gratitude to Senator BOB DOLE for being a statesman on this issue. He is not gaining any votes in Republican primaries in terms of the Republican nomination, but he is doing what a U.S. Senator ought to do, and that is look toward what is best for our country. What is best for our country right now is to back President Clinton.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. DEWINE. Mr. President, I ask for 5 minutes. If I could be notified after 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, others have recounted mistakes and missed opportunities that have led us to this moment, a moment when 20,000 U.S. troops are either on their way or will shortly be on their way to Bosnia.

I will not take the time of the Senate this evening to recount these facts. They have been talked about in great detail already today.

The fact is, Mr. President, we are where we are. As we debate, and we have debated three different resolu-

tions today, the essential facts are as follows:

Fact No. 1: In 1993, the President made a commitment to deploy ground troops in support of a Bosnia peace-keeping mission.

Fact 2: This guarantee was a condition or underlying understanding of the entire Dayton peace agreement.

Fact 3: The President has now ordered these troops to Bosnia. Some have already arrived.

Mr. President, the troops are going to Bosnia. They are going to Bosnia no matter what this Congress does. They are going to Bosnia no matter which resolution is approved or not approved. That is a fact.

Fact 4: There are clearly not sufficient votes in Congress to override the President's veto of a bill that would prohibit funding of the troops. In fact, earlier today, there were only 22 votes on this floor—22 votes—to in fact cut off these funds.

Mr. President, with these facts in mind, what then should our objectives be today as we debate these resolutions? What do we want to accomplish? What can we reasonably expect to accomplish?

Mr. President, the question before us today is I believe a rather narrow one. Which resolution will be the most valuable in achieving our objectives? What can Congress try to accomplish this evening?

Mr. President, I would suggest that we have three goals.

First, the most important, unconditionally support our troops.

Second, to enhance the odds of them leaving as scheduled within 1 year.

And, third, to increase the chances of this mission being successful.

I believe the Dole resolution—Dole-McCain resolution—can help shape and help influence our Bosnia policy and can improve it. It does this in part by ensuring the training and arming of the Federation of Bosnia, so that they can provide for their own defense after the NATO troops leave.

Mr. President, the Dole resolution gives more support than any of other resolutions to our troops. The Dole resolution supports their mission and does so in clear terms. It ensures that America speaks with a clearer voice.

Mr. President, for the above reasons, it is my intention this evening to vote in favor of the Dole-McCain resolution.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, just 3 weeks ago, the warring parties in Bosnia initialed a peace agreement in Dayton, OH. That announcement marked the first real hope for an end to the tragic conflict in the Balkans which has left hundreds of thousands dead or injured and produced over a million refugees. It was only with the dedication and persistence of U.S. negotiators present in Dayton that this accord was brought to fruition.

While everyone seems to agree that the administration deserves a great deal of credit for the success at the bargaining table, some question whether the United States should send troops to monitor and implement the agreement. This is obviously a very serious question, and we have an obligation in this Chamber to think through the implications of that decision.

The question arises, what are the United States national interests that are at stake in Bosnia? The President addressed that issue in his speech to the Nation on November 27. At that time, he made the case as to why this agreement serves America's interests, reflects American values, and requires American leadership.

There are many arguments that can be made about the ways that this agreement serves U.S. interests. For instance, that it will prevent the war from spreading in a way that might lead to a much more costly and dangerous American involvement; that it will return peace and stability to a continent that is key to our economic and military security; and that it reflects the United States moral and humanitarian interest in seeing an end to the bloodshed and violence.

All of these are very important considerations which should be weighed heavily.

Furthermore, choices are not always a matter of what is the best theoretical option but what are the courses of action available to us at any particular moment in time. Right now, we have to decide between backing the peace agreement, which we were instrumental in developing with the undertaking of a U.S. military presence, or not taking part in the NATO endeavor, which would mean no NATO endeavor and the breakdown of the peace agreement.

Viewing it from that perspective, I come to the conclusion that the risks of missing this opportunity for peace are greater, significantly greater than the risks of implementing it, although that course certainly has its dangers. Let me discuss briefly the potential consequences of not carrying through on the peace agreement.

First, I think the administration is correct in the view that without a commitment of American troops as part of a NATO force, the peace agreement will not stand. Having helped the parties to reach this point, the United States would completely undermine their confidence in the agreement and their commitment to implement it if we do not participate. Should this happen, United States troops might well be called upon to evacuate United Nations protection forces in Bosnia, under much more dangerous circumstances than our troops will face under this agreement.

Second, it could seriously erode America's diplomatic strength. Our success at conflict resolution is due not just to the skill and determination of our negotiators but also to the perception that the United States has the

ability and the will to back up the agreements it makes. This is not to say that the U.S. must contribute forces to every peace agreement it helps to negotiate. But in this instance, the U.S. undertaking was a major reason the agreement was reached.

Our decision on Bosnia, therefore, could have long-lasting implications for the future of American leadership. It would be a major blow to U.S. world leadership if our failure to participate in this instance undermined our ability to move the world in a peaceful direction in other crises that might arise.

Third, it is imperative that a very clear distinction be made between this operation and Operation Desert Storm, to which analogies have been drawn. Let us remember that in the Iraqi situation the question was whether to go to war—whether to undertake a military operation to drive the Iraqi Army out of Kuwait. Here we are talking about helping to implement a peace at the invitation of all the parties to the conflict. That is not to say there are no dangers involved, nor that the mission will be easy. But there is a major difference between going in to fight a war and going in to implement a peace.

Finally, Mr. President, the choices before us are difficult ones. We have no assurances that, even with the participation of U.S. troops, the peace in Bosnia will be successful in the long run. But it is clear now that without our participation there will be no peace. The parties to the peace accord have made it plain that their confidence in a fair and evenhanded implementation of the agreement depends largely on American leadership and on American participation in the peace-keeping force.

Mr. President, consistent with our values and interests, we should exercise our leadership by supporting this opportunity for peace.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I would like to be notified when I have reached 6 minutes, if I reach that point.

Mr. President, I was not a Member of the Senate when the debate occurred on Desert Storm, but I was nevertheless glued to the television watching every single person, back and forth across the aisle, talking about their vote of conscience. I thought it was the Senate's finest hour. Now I find myself in the position of making a similar vote. Although we are not going to an actual war, we are nevertheless voting whether to send our troops into hostilities where the President says we can expect casualties.

I feel so strongly, Mr. President, that this is the wrong decision. I feel that it is the wrong decision and that the price that we might have to pay for the mistake is too high. The cost of an American life is too high a price to support an erroneous decision.

I do not like not supporting the President in a foreign policy matter. I think we should bend over backward to do that. But I look at two things. I look at my responsibility as a Member of Congress not to rubberstamp the President in the matter of going to war, and I cannot do what I think is wrong when I also believe that we could have a small loss of face now to save a bigger disaster in the future.

We may lose a little face because we do something different from the actual commitment the President made. The President committed to 20,000 troops on the ground for this peace agreement.

There were other things the President could have offered to help the people of Bosnia keep a peace agreement. Arming and training the Moslems is the right thing to do. Although I cannot support the Dole-McCain amendment, I do think they are right in insisting that the arming and training of the Moslems happen; that it is consistent with this Senate's vote time after time after time over the last 2 years to lift the arms embargo, because anyone who has been there, as I have been, believes that there will not be stability in that part of the world until the three warring parties have some parity. That is what will keep the factions from going after each other in the future.

So arming and training the Moslems could have been done without our having troops on the ground. That would have been a fair division with our allies, and it would have fulfilled the responsibilities of the United States. But that is not what the President did. The President said we will have troops on the ground. He raised the expectations, and now we are voting whether to support that decision.

I wish to refer to an article that was written last month by James Webb, a former Assistant Secretary of Defense in the former administration, the Bush administration. And he talks about the need for strategic thinking, to determine exactly what our treaty commitments are as we go into the post-cold-war era.

And he says: "It is time that the United States had a global strategy before it puts out any more fires."

That really sums it up. We are running around the world putting out fires at the cost of billions of defense dollars and possibly hurting our long-term readiness for the future.

What he said we should be doing is absolutely correct. We should have a set of principles from which we react to crises.

"President Nixon," he quotes, "was the last President that set out a military policy, and it was fairly simple: Honor all treaty commitments in responding to those who invade the lands of our allies."

We have a NATO Treaty. If one of the NATO countries is invaded, we would be obligated under that treaty to respond.

This mission has expanded far beyond the NATO Treaty into a civil war in a non-NATO country, and yet we are being told NATO will fall if we do not come through with troops on the ground. It does not hold water, and it does not adhere to that very good and sound principle.

The second principle: Provide a nuclear umbrella to the world against the threats of other nuclear powers.

Mr. President, you know that we have debated theater missile defense on this very floor within the last month, and it has been a bone of contention. I strongly favor the theater missile defense.

The PRESIDING OFFICER. The Senator has used her 6 minutes.

Mrs. HUTCHISON. Mr. President, at the end of 4 minutes, I would like to be notified once again.

We must provide the theater missile defense that gives us the umbrella to defend ourselves from the 16 countries that now have ballistic missile capabilities. But sending troops into Bosnia is going to take \$5 billion from our defense readiness and from the capability to provide that kind of technology in the future.

The third tenet set out is to provide weapons and technical assistance to other countries where warranted but do not commit American forces to local conflicts. And that is exactly what we are doing. These are principles of a superpower. These are principles that keep the United States strong and uses our force when it is really necessary to keep a threat to the security of our country from happening.

Sending troops into Bosnia does not meet any of the tests of good, sound principles for our country, and we must make this President understand that there are many of us in Congress who do not believe he is within his power to go without consulting and asking the authorization of Congress to commit 20,000 troops on the ground. That is why we must adopt the resolution or get a good vote. I do not know that it will be adopted. But I hope that there is a strong vote that tells the President that we need to sit down and have a strategy and there is a difference between a U.S. security interest in which we would put American troops in harm's way.

We all want to help the Bosnian people, and we can do it in many ways. But troops on the ground, American lives at risk is not the right way.

Mr. President, finally, it has been said several times on the floor that somehow it would not be supporting the troops to adopt the Hutchison-Inhofe resolution. It is very clear. The resolution is simple. Section 1 says:

The Congress opposes President Clinton's decision to deploy United States military ground forces into Bosnia.

The second section says:

The Congress strongly supports the United States military personnel who may be ordered by the President to implement the peace framework.

We are supporting the troops. I think every Member of the U.S. Senate intends to support the troops. We are going about it in different ways. I believe supporting the troops is narrowing the mission, is saying this is a mistake and, therefore, let us put a time limit on it, and if you would consider changing your mind, that would be the best of all worlds. This is a dangerous mission, and we hope the President will have every opportunity to reconsider this decision before it is too late.

That is why we believe this resolution should be adopted to support the troops by protecting them. Others may legitimately differ in passing the Dole resolution. Either way, we must support the troops, and I hope that we will adopt the resolution that opposes the President so that he will bring those troops home before the mass deployment occurs.

Thank you, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, once again, this body is discussing the difficult issue of U.S. policy toward Bosnia. I regret that we are still here wrestling with this issue. I regret that American troops are on their way to Bosnia. I regret that peace has yet to come to the former Yugoslavia.

Americans have watched while some of the greatest atrocities since World War II have been committed in Europe. We have watched in despair as brutal strife has sundered families, neighborhoods, towns and cities, and the peoples of an entire region. We have recoiled in horror at the summary executions of draft-age men, the rape and murder of women and children, and discoveries of mass graves. An inhumanity which we thought long behind us has resurfaced with a shattering savagery.

It did not have to come to this. Ever since my first trip to the former Yugoslavia in August 1992, I have been convinced that the U.N. or NATO needed to take a more aggressive role in enforcing U.N. mandates, protecting U.N. personnel and at certain critical moments, reducing Serb military capabilities through selective aerial bombing. Yet, as we all know, international reluctance to take bold action, lack of consensus within NATO and the U.N. and political caution in Europe and the U.S. doomed any timely efforts to bring peace to the region.

I have also advocated lifting the arms embargo against Bosnia for several years. To me it is unconscionable that we would prevent Bosnia from defending itself against a vastly superior force, while at the same time refusing to step in, or allowing others to step in, and stop ethnic cleansing and the perpetuation of horrible atrocities against the Bosnian people. This proved to be a disastrous policy with tragic consequences. The only viable option seemed to me to be to lift the arms embargo on Bosnia.

Over the last year, we have watched the European community struggle once again to find a solution to this seemingly intractable problem. But, as with past efforts, they fell apart in spite of strong U.S. support. It became clear to all involved that the only hope of ending this tragedy was to have the U.S. take the lead in facilitating negotiations between the parties. A belated but herculean effort by the Clinton administration resulted in the Dayton discussions, and the personal commitment of both the President and Secretary Christopher helped bring the parties together at last. I applaud the administration's intense efforts and believe the Dayton agreement provides the proper framework for a viable peace if all parties to the agreement are committed to working for peace.

I continue to be reluctant to see U.S. ground troops sent to Bosnia. Just as we took the lead in Haiti, I believe the Europeans should take the lead in the implementation of the Dayton agreement, particularly in providing ground troops. The U.S. has been providing air cover and surveillance for the past few years. And we provided much of the firepower when the U.N. decided it would allow aggressive action against certain targets. I approved of these actions and believe we should continue to play that role in the Dayton agreement implementation force. I do not think that U.S. leadership at the bargaining table required us to assume responsibility for providing one-third of all ground troops.

But the President made this commitment, and the option now before Congress is to support him at this stage in the process or perhaps precipitate the collapse of the most promising chance for peace. Given circumstances that we now cannot change, I do not believe there is really a choice here. If we care about the moral principles on which this Nation is built, if we care about the stability of Europe, for which we gave so many lives in two world wars, and if we take seriously the full responsibility of world leadership, then we must act to support the President's commitment. He should have come to Congress earlier in the process. But he didn't, and this is not the time to debate that issue further.

I am opposing the Hutchison resolution because I do not think anything productive comes from saying now that we oppose the commitment of U.S. troops. The time for such a statement has long passed. And stated in isolation from any constructive discussion about what our role should be, I feel this approach is not helpful to resolving the tragedy of Bosnia.

I will support the Dole resolution, because I believe it moves us in the right direction. I do this with reluctance on one point, however. This resolution calls on the United States to lead an immediate international effort to provide equipment, arms and training to the Bosnian Government Forces. I appreciate that this is seen as a way of

addressing the military imbalance that now exists between the parties. Obviously, rough military parity is a critical requirement for a successful NATO troop withdrawal. But I believe that balance ought to be achieved by bringing down the level and sophistication of arms in the region—not by raising it. Part of the problem in achieving peace and now enforcing it is that there are too many weapons in the region.

I am very concerned that focusing our efforts on arming the Bosnian Government instead of working to disarm and curtail arms flows into the area will merely stoke the fires for another explosion in Bosnia after we leave. What good is rough parity if all it does is set the stage for a resumption of the conflict after the withdrawal of the international force?

After speaking today with Strobe Talbott, Acting Secretary of State, and Admiral Owens, Vice Chairman of the Joint Chiefs of Staff, I am reassured that the administration is aware of the dangers of arming of the region and that every effort is being made to draw down the quantity of arms in the region, not to build them up. I also understand that General Shalikashvili is acutely aware of the potential danger to United States troops of direct United States involvement in arming, equipping, and training of the Bosnian Government Forces.

Tomorrow the President will witness the formal signing in Paris of the Dayton agreement. It is crucial to American credibility that the U.S. Senate go on record supporting his efforts prior to that time. I have received assurances that one area that will receive intense scrutiny in the coming weeks is this critical question of military balance. The Dole resolution requests a plan from the administration in 30 days. And it is critical to the safety of our troops that this issue be successfully resolved in that time frame. Therefore, I will cast my vote today to advance this process—to Paris and the signing of an accord—with the support of the U.S. Senate.

Finally, let me say that none of this would be possible without the professionalism, dedication, and commitment of the U.S. Armed Forces. The men and women who voluntarily serve under the Commander in Chief and who are now leaving their homes and families for a dangerous mission just before the holidays are the ones who make it possible to bring this hope of peace to Bosnia. We owe them a tremendous debt of gratitude and our hearts are with them. For it is they who put a face on what America stands for, and who are willing to take risks to see that others who want to live by these ideals are given a chance.

Mr. PRESSLER. Mr. President, I am a cosponsor of the Hutchison-Inhofe resolution in opposition to the Clinton administration's decision to send troops to Bosnia as part of the NATO Implementation Force, known as

IFOR. I commend the Senators from Texas and Oklahoma and the other cosponsors of this resolution for their efforts in bringing it to the Senate floor. The resolution is brief, simple and to the point. It states: "Congress opposes President Clinton's decision to deploy United States military ground forces into the Republic of Bosnia and Herzegovina to implement the General Framework Agreement for Peace in Bosnia and Herzegovina and its associated annexes."

Further, the resolution also states: "Congress strongly supports the United States military personnel who may be ordered by the President to implement the General Framework Agreement for Peace in Bosnia and Herzegovina and its associated annexes."

That is it. This resolution is the people's resolution, because it accurately reflects the views of the vast majority of the American people. Most Americans oppose sending our brave soldiers to Bosnia. And far more agree that, if the President insists on deployment, we must stand by our troops. Though we may disagree with our President, we must not do so in a way that would put the lives of American soldiers in Bosnia needlessly at risk.

Mr. President, debate on the use of United States troops should not be put in terms of whether we support a peace agreement in Bosnia. We all want peace. No one disagrees with that. Few deserve the chance for peace and stability more than the families in Bosnia and Herzegovina. What we have witnessed in the Balkans these past few years has been nothing less than tragic.

To his credit, the President has tried to achieve a negotiated peace framework. However, I am afraid that this peace agreement is fatally flawed in several respects. First, a large number of those responsible for the atrocities—a level of mass slaughter unequalled since Hitler and Stalin—likely will go unpunished.

Second, the agreement assumes continued cooperation between the Croatia and Bosnian Moslem leadership. That is a dangerous assumption. The fact is the Bosnian Moslems and the Croats often have been on opposing sides of this regional conflict. In fact, 2 years ago, Croat forces were launching attacks on Moslems in Mostar and the surrounding townships.

This peace agreement and the President's plan to enforce it fly in the face of history that dates back far longer than the last few years. The recent atrocities we have witnessed are an intensification of a conflict that dates back at least five centuries. This is a regional civil war. This is a civil war rooted in ethnic and religious differences. This is a civil war older than our own country. And at no time in our history has this civil war represented a national security threat to the United States. It was not a national security threat then. It is not one now.

Finally, Mr. President, this is a flawed agreement because it does not

have the support of many in the affected regions. In the last few weeks, Bosnian Serbs in Sarajevo have made it very clear they will not support this agreement and allow for Moslem control of Sarajevo. The resolve of the rank and file in Sarajevo to stand their ground brings images and lessons to mind—of Beirut, Lebanon; Mogadishu, Somalia; and from my personal experience, of countless towns and villages in Vietnam.

Mr. President, our troops represent the finest, best trained military force on the planet. The fact is 20,000 of our finest soldiers cannot erase 500 years of hatred and bloodshed. Peace will not come from the resolve of American soldiers. Peace must come and must last from the resolve of the Bosnians, the Croats, and the Serbians to say and believe that more than five centuries of conflict is enough.

In fact, the injection of foreign troops into a civil war would only work to prolong the conflict in the long term. Our own Civil War would have lasted far longer and been far more devastating had Europe intervened. That was why President Lincoln worked tirelessly to prevent Europe's involvement. Though we will never know for certain, I believe Lincoln's efforts and Europe's decision not to intervene ultimately saved lives—American and European. Similarly, in the long run, I believe we could save more lives—American and European—by pursuing other means to achieve a lasting peace other than the limited deployment of IFOR.

Mr. President, I know what it is like to serve my country in a mission that did not have the clear support of the American people. I am a Vietnam veteran, a former second lieutenant in the United States Army. I am proud to have served my country in Vietnam. However, it was my hope that this Nation learned a few lessons—lessons that would make clear that sending troops to Bosnia is a serious mistake.

It is my hope that the President will reconsider his decision to deploy United States troops to Bosnia. However, my fondest wishes and current reality are worlds apart. The President has demonstrated his resolve to defy the wishes of the American people and the clear history of the region and put our troops in harm's way. That being the case, and once the troops are deployed, it is my hope that we in Congress will not do anything to jeopardize the safety of our troops. However, that should not deter us from closely monitoring the situation in Bosnia, just as we did in Somalia, and just as we did in Haiti. I intend to do so. The people of South Dakota, especially the families of the soldiers who may be deployed there, deserve no less.

Finally, my thoughts and prayers are with the brave young men and women who have been called to serve in or in support of the Bosnia mission, as well as their families and friends. I know this is a very difficult time. I know

what it is like to tell family members that I will be serving my country in a conflict half a world away. And now I know what it is like to learn that a member of my own family has been called to serve. My nephew Steve Pressler, son of my brother Dan and his wife Marcia, has been called to duty as part of an eight-member South Dakota National Guard unit that has been put on alert. It truly brings the matter home, both for my family and the other families with members who have been called to duty.

Again, Mr. President, I urge my colleagues to support the Hutchison resolution—the people's resolution. The President needs to understand that, as the people's representatives, we support the well-being of our troops, but we cannot support a policy that puts the lives of our troops on the line without a clear national security purpose. The policy is wrong. Our troops should not go.

Mr. BRYAN. Mr. President, I rise today to say to my colleagues that President Clinton's decision to send United States troops to monitor the peace in Bosnia should not be a partisan issue. The President has decided to send American troops on a NATO peacekeeping mission in Bosnia; as Commander in Chief, the Constitution empowers him to do so. President Reagan exercised this power to send troops to Lebanon and Grenada; President Bush used this power to send troops to Panama and the Persian Gulf. As a newly elected Member of the United States Senate, I supported President Bush in sending troops to Panama, and I was 1 of 11 Democrats to vote for a resolution in support of Operation Desert Storm. I intend to support President Clinton as well, notwithstanding any reservations I may have about sending troops to Bosnia.

I do have serious misgivings about the deployment of American ground troops in the Balkan region; I wish that the President had not committed them. This is a high-risk mission, and the American people need to understand, as the President has stated, that casualties are almost inevitable. Some months ago I supported lifting the arms embargo, an embargo which prevented the Bosnian Moslems from securing the weapons necessary to defend themselves. Unfortunately, that embargo was never lifted. If it has been lifted, the Bosnian Moslems would have had the weapons they needed and American forces may never have been deployed.

I have two primary apprehensions about the assignment of troops to Bosnia; I am concerned that the mission need to be adequately defined, and I am concerned about the details of the United States exit strategy. As a member of the Senate Armed Services Committee, I have had the opportunity to question closely Secretary of Defense Perry and Joint Chiefs of Staff Chairman General Shalikashvili when they appeared before the committee. They

have assured me that the mission is narrowly defined and is confined to (a) the marking of the cease-fire line, inter-entity boundary line, and zones of separation, and (b) the monitoring and enforcement of the withdrawal of forces to their respective territories within the agreed period. With this mission so narrowly defined, I believe that we can avoid problems with mission creep we have faced in the past where troops have been committed without careful thought to what the goals of the mission were. Somalia is a case in point. Both Secretary Perry and General Shalikashvili are convinced that the Bosnia mission can be accomplished in 1 year. Furthermore, U.S. troops are not going to be responsible for nation-building, refugee relocation, or other humanitarian activities. They have also assured me that the decision to leave the region will be up to the United States and the United States alone, and other NATO countries have pledged to follow our lead.

I believe the United States has played a critical role in this peace process. Without U.S. diplomatic involvement, the peace talks in Dayton would never have come about. Without the United States, this bloody war may never have ended. We have brought the Balkan peace process along this far, it would be terribly disingenuous for us to bail out now. The President has encouraged our allies to support this mission and all NATO countries with troops have pledged their support. It would be a tragedy for the United States to let the NATO countries down now, especially since we have done so much to promote peace in Bosnia.

The Congress has taken responsibility in this process as well. We sought to define the mission and a bipartisan congressional coalition has worked to insure that the mission is strongly defined and the exit strategy is clarified. We have an obligation to insure that the mission can be successfully executed. We know that the U.S. uniformed services are the best in the world, and we should stand proudly behind them.

Mr. SHELBY. Mr. President, I rise today to oppose President Clinton's plan to send America's sons and daughters into Bosnia. On Monday evening, President Clinton asked Congress and the American people to support a policy that transforms the world's greatest fighting force into a band of peace enforcers and nation builders.

Unfortunately, this President is a poor student of history. He has quickly forgotten the tragic lessons of Somalia and Beirut. I can assure you, Mr. President, the families of those killed in those faraway places are reminded every day and will not soon forget the consequences of this type of ill-conceived foreign policy.

President Clinton wants us to support an undetermined scheme to enforce a precarious peace between factions that have been at war for almost 4 years and fighting each other for gen-

erations. He tells us it will take 20,000 American troops and less than a year. Mr. President, less than a year to bring peace to a place that has not known peace in recent memory?

President Clinton tells us that our troops will be peacekeepers and not war fighters. They will be neutral brokers of an agreed upon settlement between warring parties. The problem with this, Mr. President, is that we are not a neutral party in this conflict. President Clinton himself admits that we chose sides.

We imposed economic sanctions on Serbia and were an active participant in a sustained air assault on Bosnian Serb targets. To add insult to injury, the administration also proposes that we train the Bosnian Federation while we enforce the peace. Is there any doubt that the Serbs will view our presence as something less than neutral?

Mr. President, why is this any different than Beirut or Somalia and can we really expect a different result?

President Clinton said that we will send 20,000 of our troops. How did he determine that we would need 20,000 troops to enforce the peace?

Earlier this year President Clinton imprudently promised to commit up to 25,000 U.S. ground forces long before there was peace, before there was a plan, before there was a mission, and before we had any idea whether it would be necessary to become involved at all. Recently, the President told us that he still has not seen the plan.

As yet, there is no clearly defined mission, no attainable military goals and no way to measure success. However, President Clinton knows that we will send 20,000 of our troops to implement this unknown plan. Mr. President, without well-defined and achievable military goals, I fear that the world's finest fighting forces are about to be used as global hall-monitors, sitting ducks for disgruntled belligerents.

Mr. President, I suggest that the administration has yet to establish any credible case for this deployment.

President Clinton also tells us that the United States must lead when NATO is involved. Of course the United States must lead, but the President has equated leadership with American ground troops.

American ground forces offer no tactical or operational advantage to a Bosnian peace force. They offer only political advantage for our reluctant European allies. The Balkans are historically a matter of concern to Western Europe. If they do not believe the problem is important enough to solve—then we certainly should not.

President Clinton apparently believes that the United States must deploy troops in Bosnia to preserve NATO and that NATO is the proper vehicle for peace in Bosnia. Mr. President, by any measure this would greatly expand the alliance's mandate to include missions never even remotely contemplated by NATO's founders.

NATO was intended to be a military alliance to deter a Soviet attack on Western Europe. There is no doubt that the United States has a vital interest in the continent's security. President Clinton proposes, however, that we transform the basic mission of NATO from an organization that guards Western Europe from attack, into an organization that intervenes in civil disputes and parochial conflicts of nonmember states.

Mr. President, we should never seek to preserve an alliance unless that alliance serves the purposes for which it was created. NATO was not created to be the arbiter of civil disputes nor should it seek to become one.

What did President Clinton not tell us? He did not tell us how our troops will get out. He told us that it should last only 1 year, but as former Assistant Secretary of Defense Richard Perle testified before the Armed Services Committee, "An exit date is not an exit strategy." To compound the problem, the administration will be under enormous pressure to succeed. Especially in an election year.

Without clearly defined military missions and goals, mission creep is inevitable. As President Clinton expands the mission he will be compelled to escalate American military efforts to meet the requirements of new missions. This sounds very familiar, Mr. President.

President Clinton also did not tell the American people how much this will cost them. Some estimates run as high as \$2 billion and that is based on a best-case scenario. Mr. President, military planning must take into account the worst-case scenario. Our fighting forces must be prepared for any contingency.

Again, I fear that this administration has not prepared for unexpected events which are inevitable in any military operation. This could be critical not only to the financial cost of the operation, but to the incalculable human cost as well.

President Clinton asked the American people to choose peace. Mr. President, the American people do choose peace. We hope for a lasting end to the Bosnian civil war that has raged for so long. The American people and this body will support the President in his efforts to end the fighting, but we will not commit our fighting men and women when we have no vital national interest at stake. Just saying we have a vital interest, Mr. President, does not make it so. President Clinton has failed to make the case to the American people, and this body should not support a deployment of American troops to Bosnia.

Mr. President, I yield the floor.

Mr. BINGAMAN. Mr. President, I have serious concerns about the deployment of American troops in Bosnia. I certainly have concerns about the stability of the peace accord reached in Dayton. I have concerns about the potential disruption that Bosnian Serbs and other antipeace fac-

tions of the various affected parties may create. And I have no illusions about the vulnerability of Americans—our Nation's men and women who will be part of the Peace Implementation Force in Bosnia—to innumerable dangers as a result of this deployment. But leadership is not risk-free, Mr. President.

It is clear that even as we are debating this issue, United States troops are participating in the NATO effort to implement the Bosnia peace agreement. Every nation in Europe—in Western Europe and Eastern Europe, even Russia—is deploying troops as part of the peace accord. The achievements that were reached after painstaking negotiations between Bosnian President Alija Izetbegovic, Croatian President Franjo Tudjman, and Serbian President Slobodan Milosevic with support and facilitation by United States representatives, particularly Secretary of State Christopher and Assistant Secretary of State Richard Holbrooke, have generated the best chance yet of achieving a stable outcome for the Baltic region. It is clear that U.S. support of this NATO effort is essential if we are to maintain our leadership role in the world, and if the peace enforcement effort is to succeed.

The November 21 peace agreement calls for the creation of a 60,000 member implementation force [I-FOR], which will be comprised of 30 countries. I-FOR's mission is not to side with the combatants, but is rather to monitor and enforce compliance with the military aspects of the settlement. I have listened carefully to testimony from defense and foreign policy experts on the use of military forces to enforce a peace regime. None of them has identified this as an easy mission and all have concerns. While I feel there are many risks which may potentially disrupt NATO's efforts to secure peace in the region, I agree with former National Security Advisor Brent Scowcroft that "disaster is certain if the U.S. backs out of the situation now."

Mr. President, I do not support an open-ended time frame to maintaining peace indefinitely in the region. I think that the debates this Chamber has had, the testimony that has been provided to the Senate Armed Services Committee, and the dialog that many here have had with the President and Secretary Perry have underscored the critical significance of limiting the scope of our mission in Bosnia. I am confident that the President is committed to the 1-year time frame and is committed to the limited objectives he has presented—namely, separating the parties and maintaining the cease-fire. And I have been assured that those who attack our forces or impede this process will be dealt with swiftly and decisively.

Mr. President, our troops are on the ground today in Bosnia; we are there, and we need to support our men and women. Congress should not withhold funds that are needed to support our

troops, and we should not tie the President's hands during this time when American leadership matters so very much. My vote is to approve of U.S. participation in the NATO initiative.

Mr. McCONNELL. Mr. President, what the Senate is faced with amounts to a shotgun wedding. The Congress and American troops find themselves confronting an unfortunate mistake, but one which we are now obliged to make the best of. Our decision—each Senator's choice—is whether we respond to the situation with a sense of honor and accountability or whether we abandon our principles and responsibility.

I am not happy with our choice. I don't think any one of us welcomes the prospect of sending American soldiers into Bosnia. I share the Majority Leader's view that we would not have been presented with this decision if the administration had worked as methodically to lift the embargo on Bosnia as it did to advance the deal in Dayton. But, at this stage it matters less how we got here—it is of far graver consequence how we proceed.

Why should we look forward and not back?

Because we do not have the option or choice to change the course of events. The agreement has been signed, now we must decide what kind of mission we will carry out and how we will assure it succeeds.

We are now presented with two unambiguous facts—the first being that the Dayton agreement would not have been reached without aggressive, rational U.S. leadership. This is not, after all the Tashkent Treaty. Leaders from many other nations have tried repeatedly to negotiate a settlement, but it was largely American diplomatic efforts which produced results.

And, just as the U.S. role meant the difference between a settlement and continued blood shed, so too, the immediate parties to the agreement and our allies in Europe believe we have a unique authority and capability to guarantee the accord's successful implementation.

But, the second fact is more important and that is that the President of the United States has made the commitment to deploy 20,000 Americans in support of a NATO Implementation Force to secure the accord. Whether we like it or not, those troops are going, indeed some are on the ground. To deny our support for Operation Joint Endeavor, flatly repudiates our long standing NATO security obligations and undermines our troops committed to the effort.

The credibility of American leadership and American treaty commitments are the interests which are very much at stake if we now fail to fulfill the President's decision. Just after the President's Oval Office address, Henry Kissinger observed, "if we do not honor the President's words, the threat to our security would be greater because nobody would believe we are capable of conducting serious foreign policy."

President Bush, who so capably led this country beyond deep anxieties about committing our Nation to war in the Persian Gulf echoed that sentiment. He pointed out, "If it is seen that the President does not have the support of the Congress—our standing as leader of the free world and the standing of NATO would be dramatically diminished. That must not happen."

Now, we must make certain that our troops have the means to succeed. We must guarantee they are assured every conceivable operational advantage and the unqualified support of both the public and Congress.

Mr. President, I do not believe this Nation is by nature indifferent to international concerns—there is no inherent isolationist point of view. But the public is clearly troubled by this decision—they now seem at best divided and at worst deeply opposed to the President's decision.

I attribute the confusion to 3 years of flip flops, reversals, and irrational foreign policy inconsistent with our national interests. The public has little reason to believe that this time the administration will stay on track with a limited mission that protects our Nation's interests and our soldiers lives.

That is why I think it is incumbent on Congress to assure absolute accountability regarding the scope of the mission, the costs and the strategy for withdrawing our forces. We have a clear and compelling responsibility to the troops we are deploying to guarantee they are well equipped and are carrying out limited, achievable goals.

Unfortunately, there are already contradictions and uncertainties emerging which will only plague the administration's desire to strengthen public support. Last week, Secretary Perry testified before the Defense Appropriations Subcommittee that our financial burden would be limited to support for our troops. Within a matter of days, the Defense Department submitted a letter notifying Congress of the possibility of transferring \$300 million in defense articles and services to nations participating in I-For. Apparently, DOD anticipates reimbursement for this support, but those of us who monitor the United Nations have serious reservations about the reliability of these promissory notes.

The administration cannot afford to allow any ambiguity to creep into the public debate about the scope of our responsibilities. One of the reasons I support the resolution drafted by the leader is the requirement that the administration provide a full accounting of the mission, rules of engagement, command arrangements, goals, compliance with the agreements and all costs to all agencies involved in this endeavor. The leader's resolution is the best protection our troops have that their government will not fail them as they carry out their duties with skill and honor.

But, the real key to success and the heart of my support for the Leadership

resolution is the requirement that the United States lead an immediate effort to provide equipment, arms, training and related logistics to enable Bosnia to provide for its own defense.

Mr. President, I do not think it is wise to establish an arbitrary date for the exit of American troops. That only guarantees a cooling off period before fighting resumes. We have seen the destructive consequences of just such an approach in Somalia. Knowing our departure was imminent, the warlords bided their time. Somalia today is indistinguishable from the chaos and anarchy which preceded our arrival.

That must not happen in the Balkans.

Our mission can only be deemed a success if we contribute to a durable solution, securing a lasting regional stability and peace. Stability and peace demand a military balance between the Serbs and the Bosnian-Croat Federation.

I realize that there are members with major misgivings about the possible consequences of lifting the embargo and arming and training the Bosnians. They want to allow the so called arms build down process to have time to take affect. Unfortunately, there are far too many unanswered questions about the arms reduction program to risk Bosnia's freedom and long term prospects for stability.

At this point it is entirely unclear who will assume the responsibility for enforcing arms control. As the Dayton agreement is constructed, the immediate reach of the disarmament regime is limited to the NATO patrolled ceasefire zones of separation. This makes obvious sense for the security of our soldiers, but offers no iron clad guarantees for the reduction of massive Serb stockpiles within the boundaries of Bosnia-Herzegovina.

Let me add one final historical observation on arming the Bosnians. I think a majority of members in this chamber would share the view that it was not SALT or START agreements which brought about the demise of the Soviet Union. Arms control initiatives may reduce risks, but any level headed assessment of the Cold War reaches the conclusion that it was the credibility of our military power which guaranteed our security and global stability. So too, in the Balkans—only a credible military balance will minimize the risk of the war reigniting.

Mr. President, in 1990 the American public was ambivalent about the notion of sending Americans to war in the gulf. We all know just how close the vote was in the Senate.

From a parochial perspective, 20,000 soldiers deployed from Kentucky—if my memory serves me it was the largest contingent from any State. George Bush faced formidable opposition from families in Kentucky, but he was able to overcome their concerns by exercising leadership. In the words of his Secretary of State, "The U.S. had in George Bush a leader who was consistent, principled, decisive and strong."

Those have not been the words most of the members of this chamber would use to describe the President's record in foreign policy so far. I think it is worth noting very few Kentuckians have been called up for deployment in Bosnia—a handful compared to the gulf. Yet, there is more pronounced, stronger opposition to the President's decision to deploy U.S. troops to secure peace than there was to Bush's decision to wage war.

President Clinton has made the decision to deploy American troops to end the suffering, stop the war from spreading, and to build a Europe at peace. He has argued that this can only be achieved if the United States continues to lead. I take this pledge seriously.

Congress and American troops now stand at an altar—let us all hope and work to assure that it is not one which involves the unnecessary sacrifice of American lives. But as we proceed, let us share the understanding that there are crucial U.S. interests at stake. The lives of American soldiers and the credibility of American leadership and our security commitments to NATO now hang precariously in the balance. We must speak with one voice and honor the President's pledge.

Mr. MACK. Mr. President, the role of the United States in the world is unique. America has played a historic role in opposing tyranny, and giving hope to people denied their freedom. Similarly, our military has played a central and unparalleled role in the world. Only the U.S. Armed Forces combine the ability to achieve enormous and complicated military objectives with the commitment to use this force in pursuit of the values that made our Nation great—freedom, justice, democracy, and the protection of basic human rights.

Despite a great deal of theorizing about the so-called new world order, our role in the world should remain the same as it was throughout the cold war. Certainly, our interests remain the same. Even when not pitted against the Soviet Union and its Communist expansionism we can identify our interests clearly.

In Bosnia, they were deterrence of aggression, support for the right of self defense, abhorrence of ethnic cleansing, and support for multi-ethnic democracy. President Clinton's 1992 campaign emphasized all of these issues. His policy as President has reflected none of them.

Since early on in the conflict, I supported lifting the embargo on the Bosnian Government and helping the Bosnian people to defend themselves. In my view this was required on moral grounds. It was also the strategically and militarily sound course. But most of all, it was based on the right of individuals and nations to defend their freedom.

The embargo condemned the people of Bosnia to a slow death, carried out not only by military engagements but also by savage attacks on civilians.

Serbia came to the war with a massive advantage in arms and throughout the war was able to acquire the arms it needed from other sources. The Bosnian Government's forces were at an extreme disadvantage. Aligning the United States with the embargo and the denial of Bosnia's right of self-defense was a disgrace. If this administration had pursued a policy of lifting the arms embargo and allowing the Bosnians to defend themselves, negotiations would have been conducted from a position of strength and U.S. troops would not have been required.

Instead, this administration favored negotiation, compromise, and concession even when it was painfully obvious that only the threat of force and the willingness to use it by the Bosnians would allow any hope of democracy and freedom in Bosnia.

Ironically, the President now has found a use for force, not to promote freedom, but to try to enforce an unjust agreement. President Clinton has committed U.S. troops and credibility to implement an agreement which, as this resolution says, "ratifies the results of ethnic cleansing and territorial aggression."

This agreement is the inevitable result of the administration's policy of refusing to allow the Bosnian Government to defend itself and—let's be frank—its sentences the people of Bosnia to a peace of subservience and domination.

Peace has many forms. There is the so-called peace of the former Soviet bloc where the ever present threat of force subjugated the nations of Eastern and Central Europe. Bosnia and the countries of the former Yugoslavia were supposed to have escaped that domination. Instead, another venal and dangerous threat arose.

In the former Yugoslavia, the threat was complicated by historical rivalries and ethnic and religious differences. The administration seized on the complexity of the situation and used it as an excuse to do nothing. "There are no good guys," the administration said. Or "it's a civil war."

The peace being imposed on the people of Bosnia is the peace of domination and fear. Unless the Bosnian Government is given the means to defend itself now, we can expect that the war will continue.

We should not be in this position. It was avoidable. However, the decision to commit U.S. troops and prestige has been made by the President in his constitutionally prescribed role as Commander-in-Chief.

The Congressional role in providing funds for military operations is also set forth in the Constitution. Congress could exercise its constitutional power to deny the funds to carry out this or any other military mission. The President would certainly veto such a measure. Without the votes to override, ultimately, he would prevail.

Nothing would be served by undercutting the men and women of our

Armed Forces at this late date. U.S. troops have already begun arriving and more are on the way. A strong vote against the deployment would demoralize our troops and embolden those who would like to see the Dayton settlement collapse.

Congress must back our troops unconditionally and work to make certain they have everything they need to carry out their mission. If we learned anything from Somalia, it is that no corners can be cut where our troops are concerned. Their rules of engagement, their equipment, their training, everything about their mission, must be designed to remove all unnecessary risk. We can and we must achieve this for the young men and women serving their country.

This resolution allows the President to fulfill his commitment to deploy U.S. forces to implement the General Framework Agreement so long as the mission of the United States forces in Bosnia and Herzegovina is limited to enforcement of the military provisions of the Dayton Agreement, that the exit strategy includes establishment of a military balance enabling the government of Bosnia to defend itself, and that the U.S. will lead an immediate international effort to provide equipment, arms, training and related logistics assistance of the highest possible quality to the Bosnian government.

These determinations are essential. In the last few weeks, the administration has made contradictory statements about U.S. intentions to help equip and train the Bosnian Government. On the one hand, the administration said it will help train and equip the Bosnian side. On the other hand, officials have said arming the Bosnian Government forces would not be necessary because provisions in the Dayton Agreement call for negotiated arms limitation agreements.

That sends exactly the wrong signal. This war was made possible by the inability of the Bosnian Government to defend itself. Late yesterday, the President made the commitment to lead the effort to arm and train the Bosnian Government forces. In light of the administration's recent ambivalence about arming and training the Bosnian Government forces, I expect that the administration will show, starting today, concrete steps toward fulfilling this commitment to the United States Congress and to the Bosnian Government, including getting a commitment of support from our allies. The Congress expects that commitment to be kept as a condition for passing the Dole-McCain resolution.

There is very little satisfying about the peace agreement reached at Dayton. As President Izetbegovic of Bosnia said, "this may not be a just agreement but it is more just than the continuation of war." That is little to go on for the people of Bosnia, but it will have to do.

Our role in brokering this settlement makes it incumbent upon us to help en-

force it. Our role in the world, and the unique role our military has played as a force for freedom requires that we work to establish a military balance which will protect Bosnia from future aggression. Therefore I support our troops as they endeavor to carry out the United States military mission in Bosnia.

Mr. MURKOWSKI. Mr. President, as I rise to speak about American participation in enforcing the Bosnian peace agreement to be signed in Paris this week, I want to begin by making clear my firm belief that U.S. participation in this action is the wrong thing to do.

I would note here a few of the many reasons for taking this position:

The Serbs, Croats, Bosnians, and others in the region have been fighting for hundreds of years, creating generational hatreds which no "piece of paper" is going to stop.

There are many elements in the region, not least the Bosnian Serbs—the main belligerents—who are unhappy with this settlement and will do everything they can to upset it, including by attacking our forces.

There is no clear national interest in our involvement in this endeavor other than, to some, the preservation of our leadership in NATO.

However, the question then is: "is this the issue upon which the future of NATO should be decided?" I certainly hope not.

U.S. troops will be in the middle of a situation fraught with antagonism and hatred. They will have to be arbiters, for example, of who lives where, who gets trained, who is "right" in the inevitable thousands of disputes which will arise.

Inevitably, they'll become participants, and in that part of the world that means they'll be victims of the violence they are supposed to prevent.

The map to which the parties have agreed is a disaster and creates ungovernable nations which the parties will, long after this incident is over, inevitably begin to fight about again.

There is no realistic "exit strategy" because there is no likelihood that these incredibly difficult problems are going to be resolved in 1 year, 2 years, 5 years, or even 100 years.

Mr. President, there are countless other reasons why this is the wrong thing to do. My colleagues will be discussing them at great length, so there is no reason for me to note them here.

THE ISSUE OF CONGRESSIONAL AUTHORIZATION

Rather I would like to discuss another aspect of this issue.

Mr. President, eventually the constitutional issue of whether the President must have authorization from Congress to participate in such ventures will be decided in the Congress' favor.

However, in the meantime, we have a reality, a sad reality: the President can make this deployment even without congressional authorization or support.

He's going to do so without congressional authorization or even congressional support. In fact he's going to do it even if the Congress disapproves.

This is unfortunate, and I think the President will regret acting in this way at a time when the Congress and, I believe, the overwhelming majority of the American people, have serious doubts about this policy.

WE HAVE TO SUPPORT OUR TROOPS

Mr. President, that is the reality.

We in Congress have to deal as best we can with that reality—that our troops are going to Bosnia, to Croatia, to Hungary, and elsewhere in the Balkans—by doing everything in our power to support our military men and women.

In short, our forces are going into a situation with many risks, with many dangers, with the potential for many of them to be injured or killed during their tour of duty. As they do so, we have to do several things: Make sure they have rules of engagement which allow them to defend themselves and deal with threats to themselves, including by force; make sure they have sufficient back up, including support forces in the region and air support to deal with threat; and, most importantly, make sure they know that no matter what the political differences at home, they have the 100 percent support of all Americans.

In sum, Mr. President, no matter how much we oppose this policy, and no matter how the situation evolves in the Balkans, we have to be prepared to show our forces, in every way possible, that they have our full and unequivocal support.

THE FUTURE

Mr. President, let me conclude by saying that it is essential that the Congress, with its oversight responsibilities, watch very carefully how this situation evolves, how our forces are treated, and how this complex and convoluted peace agreement is implemented.

As we do so, we must be prepared to take appropriate action if what I firmly believe are the overly optimistic predictions of the administration do not come true.

That too is an absolutely essential part of our support for our troops as they face this risky, dangerous, unprecedented, and, in my view, unfortunate endeavor.

Mr. CONRAD. Mr. President, the decision on Bosnia is extremely difficult. But I believe our responsibility is clear.

The United States is being asked to participate in a peacekeeping mission by all the parties to the dispute in Bosnia. They say that without our participation, there will be no chance for peace.

It is important to remember that we are being asked to enforce an agreed upon peace. We are not being asked to wage war.

It is in our interest to help prevent the spread of this conflict to the rest of Europe. And it is morally right to help stop the slaughter and atrocities that have repeatedly occurred.

However, I have always thought that Bosnia was primarily the European's

responsibility. This conflict is in their backyard. It most directly affects their interests.

I also have serious doubts whether peace can be secured in 1 year. The history of the region is one of strife and struggle. There has been conflict in the Balkans for hundreds of years. For 45 years after World War II, the differences were suppressed by Marshal Tito. But when he passed from the scene, the old enmities resumed as violently as before.

Despite these serious doubts, I am persuaded we ought to help give the parties a chance to build the peace they say they want. They have said they are tired of war, and asked us and 25 other nations to give them the opportunity they need to try to craft a lasting peace.

Most importantly, I believe we must send a strong message of support for our troops, who are helping to create an opportunity for peace in Bosnia. Anything less will add to the risks that the brave men and women of our Armed Forces will face.

I have therefore decided to support the Dole-McCain resolution supporting our troops and limiting the mission they are expected to fulfill.

I will continue to carefully monitor our involvement to ensure that this mission does not expand beyond the limited one being authorized tonight.

Mr. SIMPSON. Mr. President, I rise to express my support for the Dole-McCain resolution regarding the deployment of United States troops in Bosnia.

I would like to begin my remarks by commending the respected majority leader for his skill and leadership in this sensitive and vital area. I emphasize the word "leader," because true leadership has been required here and has been much evident.

There is, I believe it is fair to say, a great amount of shared rich feeling here in the Senate about this deployment. There is a palpable feeling of trepidation about this mission, on both sides of the aisle. Few in this body are certain that sending troops is the right thing to do, and for that reason, would not have voted to do it. At the same time, there is considerable sentiment here that we should do everything possible to fully support our troops once they are there, and to avoid any appearance of undercutting our Commander in Chief. To undercut our command structure while American troops are in harm's way is something that most Senators earnestly wish to avoid.

I believe that the Senate has plausibly wished to give voice simultaneously to these two conflicting impulses. The majority leader's initiative has made it possible for us to do so.

Turning that shared feeling into a constructive statement of policy is a tremendously difficult task. It requires not only considerable political skill and courage, but a detailed recognition of the factors confronting our forces in Bosnia, and confronting our President.

First, I do believe that there is broad agreement here about the President's constitutional authority, as Commander in Chief, to deploy U.S. forces to defend U.S. interests abroad. We in Congress do have the constitutional right and duty to be involved in fundamental decisions of war and peace. But the principal ways in which we do this are—first, to declare war ourselves, a congressional prerogative, and second, to use our power over the purse to limit the military operation pursued by the President. We do retain that power. But otherwise, we recognize that it is the President, not the Congress, who has the authority to command the Armed forces, within the limits of what Congress is willing to fund.

Earlier today, we voted as to whether to forbid the President to use DOD funds to support a deployment in Bosnia. Buy a 77 to 22 vote, we decided that we would not curtail such funding. Thus I believe that it is now incumbent upon the Congress to maximize the chances of success for the mission which the President has seen fit to initiate.

The President's decision to deploy U.S. forces is associated with his committing the United States to do its share in upholding a peace negotiated between the warring parties. I have my own grave doubts about whether this peace will hold. It may indeed hold, but I do not believe that it will hold simply because United States, British, French, or other NATO forces are present. If the warring parties in Bosnia are not satisfied with the terms of the peace, they will take out their hostilities on whichever forces are in this way. I believe that the historical record in that regard is so very clear.

It is possible that the peace will indeed hold, if an equilibrium has been reached there. If the various parties are satisfied with the territory over which they have been given jurisdiction, then there may indeed be peace. I would say, however, that there are troubling signs that this will not be the case in Bosnia. I am certain that my colleagues have read and heard about many instances of aggressive behavior in the last few days. One involved the touching of a town, by Bosnian Croats, which was slated to be turned over to the Serbs. Can we assume that these horrible actions will not meet with reprisals? Will the Serbs be satisfied that a town allotted to them under the terms of the peace agreement has been destroyed? Will vengeance not be sought at another time and place? I believe it would be highly naive to assume that these activities will cease the moment that United States troops take up their positions in Bosnia.

So it should be clear that I am most troubled by the President's decision to send troops to Bosnia. However, I would also say that we do not add to the safety of our troops by withdrawing support from our President at this

time. We know from our own tragic experience that no good comes from public disunity between the President and the Congress at such a time as this. To tell the world that America's commitment is soft, that it will be undone once the Congress can prevail over the President in such a matter, is to invite attacks upon our troops, and thereby upon our resolve. Certainly, any potential enemies will seek to test American resolve in Bosnia. "We must not," I say to my colleagues, lay any of the groundwork for those detractors by making it harder for the President to stand by his decisions.

The majority leader's resolution, I believe, recognizes that our desire to support our President does not mandate that we simply offer him a blank check to proceed in Bosnia in any which way. This resolution incorporates the insights of our able Majority Leader and others as to the reality that our troops can only safely and profitably be withdrawn once Bosnia can stand on its own without resort to the presence of American support. This requires the training and equipping of a viable Bosnian army. Much of the negotiations between the Congress and the President as to the substance of this resolution have turned on this point. I am pleased to see that we have received a commitment from the White House that America will assume a leading role in training the Bosnian army there.

That is the factor which can make it possible for the President to claim this mission as a success upon its conclusion; otherwise we run the risk of simply delaying whatever bloodshed would otherwise occur until the United States withdraws. If we have simply a target date for the hostilities to resume, and we will have accomplished nothing. The work of the majority leader in this area could help to ensure that this mission is not in vain, and that a lasting peace in Bosnia is possible, without a sustained and indefinite American presence.

So I commend the resolution offered by Senator DOLE and the intrepid and courageous MCCAIN and I urge my colleagues to support it. I trust that my colleagues will agree with me that the task before us—once such a mission is undertaken—is to ensure that it has the greatest possible chance for success. I believe that in this instance, we accomplish this by defining and limiting the nature of the mission in Bosnia, and by providing a strategy leading toward the orderly withdrawal of United States troops from this part of the world. The Dole-McCain resolution surely accomplishes this, and I urge the Senate to adopt it.

Mr. ABRAHAM. Mr. President, before I begin my remarks on the resolutions related to Bosnia, I would like to express my unequivocal support for the men and women of the United States Armed Forces. I can think of no greater act of patriotism and devotion to this country than to enlist in the mili-

tary and devote one's professional life to the defense of our Constitution. It is made even more profound by the realization that these brave men and women do not have a say in how, or where, they will be employed. They go where they are told to go, fight where they are told to fight, and do so better than any other military force in the world. Throughout their service they must spend months, sometimes even years, away from their home and family. Children are born and start growing up while their parent is away in the service of their country. Few of us in America today realize the tremendous sacrifice these men and women make so that we may enjoy the fruits of liberty. It is time we honor their sacrifice.

But such sacrifice is not limited to our active duty forces. I have been informed that four Michigan National Guard and Army Reserve units will be deployed in support of Operation Joint Endeavor. To the officers, men and women of the 1776th Military Police Company, the 210th Military Police Headquarters and Headquarters Detachment, both from Taylor, MI, the 415th Civil Affairs Battalion in Kalamazoo, MI, and the 415th Military Intelligence Detachment in Ann Arbor, MI, I wish you God speed and a safe deployment. I have also been informed that one of my own staff, a Naval Reservist, may be recalled to active duty to support these military operations. May you all return quickly and safely. I commend your patriotism, your bravery, and your devotion to duty. You exemplify all that is worthy and noble in Michigan, in our military, and in the United States. I'm sure all my colleagues here in the Senate join me in saluting your valor.

Now Mr. President, I would like to specifically address the issue of America's interest and involvement in Bosnia. This issue has implications for our foreign and defense policy that will reverberate long after this operation is completed.

America has always been viewed as a light to all nations, guiding them to peace, freedom, and self-determination. We are a nation dedicated to certain principles and ideals, and we take those principles and ideals seriously enough that we include their very preservation and advancement as part of our national interest. But we must never lose sight of the fact that a nation's first responsibility is to its own people.

We, in this body, must never develop a foreign policy that loses sight of that primary responsibility, and that the lives and safety of our troops, whether they be volunteers or conscripts, are just as much a vital national security interest as are the lives of our civilian citizens. In practice then, we should commit our forces only when, where, and to the extent appropriate, to meet our stated national goals and to protect our national interests.

Therefore, Mr. President, the level of our commitment to a particular under-

taking should be concomitant with the level of the threat to our national interests. Some situations threaten our very existence, while others only marginally affect us. Many will lie somewhere in the middle. Where such threats to our national security are significant and definite, like those we faced in World War II, we must respond decisively and with all available military force. But in those cases where our national interests lie somewhere between the extremes, as I believe is the case in the Balkans, it is not necessary to respond with the same level of absolute commitment and force that we would use against those definite threats to our vital national security interests.

Mr. President, we must also examine not only what our chances of success will be in a particular undertaking, but also what will be the potential costs—in the lives of America's soldiers and in our national prestige. Just as the level of our interests will lie somewhere along a broad scale, so too will the potential benefits and costs. Every effort must be made to assess and decide whether the potential benefits in advancing our national interests justify the costs.

Mr. President, in my view, the United States has an interest in long-term stability and peace in the Balkans. The war has consumed the interests of Europe for the past 4 years and has increasingly become an item of disagreement and discord between the United States and our NATO allies, an alliance where continued U.S. leadership is vital to our interests. Former adversaries in Eastern Europe and the Middle East, with whom we previously thought we were developing new and friendlier relations, are using this war as an opportunity to expand their influence and control. Our leadership in NATO, and with the emerging European democratic states, will be pivotal to what Europe will look like for generations to come. We must remain engaged with these states, and must accept that their problems, more or less are our problems too. Further, old divisions between East and West are exacerbated by this conflict because of the critical role the mixing of Eastern and Western religions play in the continued hatred and strife of the region. These conflicts undermine stability and therefore directly impact upon U.S. national interests.

Finally, and certainly not least, the United States has a very real interest in putting an end to the atrocities and carnage that has shattered this region. At the end of World War II, we said we would never again allow another Holocaust. Where we have an opportunity to end mass and indiscriminate killing, which will live in our memories for generations to come, we must seize such opportunities where we legitimately believe we can succeed.

Mr. President, while there is a definite U.S. interest to be advanced in this situation, it is only worth acting if

we employ a strategy that both ensures the conditions for a genuine peace and which establishes a rational strategy for the eventual withdrawal of our troops. Therefore, I believe any strategy for peace and stability in the Balkans must, in part, be based upon addressing the fundamental military imbalance between the Serbs and the Muslim-Croatian Federation. If we had previously lifted the arms embargo, we would not be debating this deployment today. Yes, the conflict would have probably intensified at first, but I believe the Muslim-Croatian Federation would have then been able to develop a credible military deterrent, and there would be no need for 60,000 troops to implement the peace. Now, again, a balance must exist or peace will evaporate as soon as the Implementation Force withdraws. The current administration policy fails to set in motion a plan to achieve this balance.

It is also clear to me that any strategy based upon the deployment of United States ground troops to Bosnia must include a definition of what will be the conditions for declaring final success in this venture. A pitfall we must avoid in achieving that success is to utilize our troops in the inappropriate mission of nation-building. I understand suitable political structures must be in place to allow the ballot to replace the bullet as the agent of change, but the role of our troops must be strictly limited to establishing the necessary military stability so as to allow the civilians the opportunity to develop the necessary political institutions.

When we have defined our criteria for success, we must also have in place a definite withdrawal plan that clearly establishes the conditions and terms for the termination of this mission. In my view, the current administration plan is based upon the faulty assumptions that our mere presence in Bosnia is the goal, and that peace under any terms is preferable to battling for a just victory.

Mr. President, short of committing ground troops to Bosnia, I believe there are several roles which the United States can and should fill to advance the cause of a just and stable peace in the Balkans. Among those roles which I feel are appropriate for the United States include contributing significant air and naval forces to the NATO operation in the Balkans, providing a large part of the logistical and financial resources for this operation, and participating in efforts to provide military assistance and training to the Muslim-Croatian Federation.

However, the President's decision to deploy United States ground troops directly into Bosnia and Herzegovina is, in my view, a grievous mistake. As I stated earlier, I believe it is in America's interests to advance the cause of peace, justice, and stability in the Balkans. But it is not such an absolute or vital national interest that it justifies the extremely high risk of deploying ground troops to the region.

Mr. President, I believe U.S. troops are particularly ill-suited for peace-keeping missions of this type because they present such a ripe political target. Whether rightly or wrongly, a dead American soldier captured on TV cameras will be broadcast around the world. I doubt the same can be said for the soldiers from traditional peace-keeping contributors. And that is exactly what a belligerent wants; that intense media coverage and scrutiny that covers American troops. That is why our troops have rarely been used as peacekeepers. Look at what happened in Somalia. U.S. forces were specifically targeted, and subsequently drawn much further into the conflict than originally planned, because of the significant political position they occupy for no other reason than that they were American soldiers. Therefore, I believe peacekeeping is best conducted by smaller countries not perceived as having any vested interest in the outcome of a conflict, and therefore can undeniably claim to be neutral.

The question of U.S. leadership does not rest on the end of an infantryman's rifle barrel. The United States can maintain, even advance, its international credibility, its preeminence in the NATO alliance, and its role as the world's sole superpower, without having to contribute a disproportionate share of the troops on the ground. Indeed, I believe it is imprudent to claim that the sole measure of United States leadership and commitment to peace in the Balkans can only be measured by the number of troops we commit to the Implementation Force.

Were a more vital United States interest at stake in the Balkans, and were not it clear that the United States can still participate significantly in implementing this peace accord without using its ground troops, my views may be different. But given the extreme risk to which I believe they will be subjected, and the clear availability of for other countries to provide these peacekeeping troops, I believe placing our forces on the ground in Bosnia and Herzegovina is unjustified.

In light of the foregoing analysis, I concluded that I could not support H.R. 2606, which would prohibit the expenditure of funds for the deployment of United States troops to Bosnia absent a specific Congressional appropriation. Limiting the expenditure of funds at this stage of the operation will unduly jeopardize our troops in the field just at the exact time that they most need Congressional support. I would also refer to the arguments made by the Majority Leader, himself a distinguished veteran, who related the incredible damage done to the morale of our troops serving in Vietnam when this Congress debated cutting off the funds for our troops involved in that war. We should not, in my judgment, place our troops in that position.

Mr. President, as I stated earlier, our interests in the region are not so great

that they warrant placing United States ground troops under the extraordinary risk they would face in Bosnia. Therefore, I wholeheartedly support the Hutchison-Inhofe-Craig-Nickles resolution opposing the deployment of U.S. ground troops. This Sense of the Senate Resolution expresses, on the record, our disagreement with the President's decision to deploy ground troops to Bosnia and Herzegovina.

Unfortunately the President is, in fact, deploying U.S. ground troops. Mr. President, this deployment is a fait accompli, initiated unilaterally by the President over the strongest and repeated objections of both Houses of Congress, and one which the President will continue no matter how strongly we protest. Thus, even though many of us oppose this deployment, I believe we have an opportunity, and an obligation, to clearly define the limits under which the President can carry out this imprudent deployment.

It is in this light that I have decided to support the Dole-McCain resolution. I want to thank the sponsors for incorporating language that I had recommended making clear that the Congress is simply acquiescing to the fact that this deployment is a fait accompli. With this language, the resolution clearly states our misgivings, and I quote: "Notwithstanding reservations expressed about President Clinton's decision to deploy United States Armed Forces to Bosnia and Herzegovina. . . . The President may only fulfill his commitment [and I stress this is the President's commitment] to deploy United States Armed Forces. . . subject to the conditions" of this resolution.

Mr. President, I can't speak for others, but my vote for this resolution in no way constitutes an endorsement, authorization, or approval of the President's decision to send United States ground troops into Bosnia. In fact, the language I submitted distinctly helps separate this resolution from any endorsement of the President's actions by citing our reservations and placing the origin of this deployment clearly with the President.

As I just quoted, this resolution further states that, in light of the President's decision to deploy U.S. troops, he may quote, "only fulfill his commitment," unquote if he meets the conditions established to safeguard our troops and further the success of the mission. Mr. President, I believe that point needs to be repeated. This is the President's decision, a commitment the President made over our repeated objections. Therefore, under the Dole-McCain resolution, he may only, and I stress only, fulfill quote "his" unquote commitment, if meets the following conditions.

First, the resolution recognizes the extreme danger in which U.S. troops will be placed, and establishes rational conditions for their safe withdrawal and limited military employment. The Dole-McCain resolution establishes

clear and unequivocal language that requires the President to take all possible measures to protect our forces, and to periodically report to Congress the success of those specific measures.

It also builds upon the recognition that the Muslim-Croatian Federation must be further armed, trained and strengthened if a credible and stable military balance is to be established in the region. We cannot simply accept the President's assurances that he will find some way to make this happen. If the United States forces withdraw only to see an out gunned Bosnian-Croatian Federation quickly overrun by a patient aggressor, our troops' sacrifice will be for naught. We have the power to give meaning to their sacrifice, and this resolution does just that.

Last, the Dole-McCain resolution will strictly limit the operations of our forces to legitimately military tasks. We have repeatedly seen the inefficacy of using U.S. military forces for nation-building exercises. The General Framework Agreement is, in my opinion, fraught with pitfalls that will draw the Implementation Force fully into the tasks more clearly the purview of the civilian High Representative's authority. This body has the opportunity to protect our troops from being needlessly employed in such dangerous non-military tasks, and this resolution does so.

This is, in my opinion, far from a perfect response to the situation the President has presented this Congress. I believe the President has acted hastily, and that his policy places our troops in the unnecessarily dangerous role of vulnerable peace implementors. However, when presented with the reality that our troops will go to Bosnia, regardless of our actions, I believe we must act where we can to constrain the imprudent strategy of the administration. The Dole-McCain resolution does not approve, endorse or authorize the President's policy. However, it clearly constrains the conduct of this operation so as to better protect our troops in Bosnia, and to better ensure mission's ultimate success.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JEFFORDS). Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I rise to speak on behalf of the Dole-McCain resolution.

As each of us decides whether or not to support U.S. involvement in this military operation, we must consider that we are sending young soldiers overseas and that their lives are possibly on the line.

As I evaluated our involvement in this effort, I reflected on my own situa-

tion during World War II. When I enlisted in the Army, my father was terminally ill and my mother was about to become a widow. I recall the letters that I wrote from Europe to my mother, who, like the parents of those soldiers being sent to Bosnia, prayed every day for my safe return. Those were not easy times. But I also recall the deep pride that I felt and the moral good that ultimately came from ending Hitler's fascist conquests.

Mr. President, like many Americans, I have been troubled by the prospective costs in human lives of the war in Bosnia. With America's diplomatic support, the warring parties have negotiated a truce and are prepared to sign a peace agreement and are requesting the assistance of America's military to help monitor and enforce it.

I do not agree with those who argue that our country has no national interest in helping to enforce a peace agreement. We must, if we possibly can, prevent the further spread of this tragic conflict, in part, because further conflict threatens the stability of, perhaps, the whole of Europe. If the war spreads, America runs the risk of being enveloped in a much larger conflict. By committing a small number of soldiers now, we may reduce the likelihood that more American troops could be required in Europe later on.

As the architect of the peace agreement, and as the leader of NATO, only the United States can lead this effort and put an end to this senseless bloodshed that has taken 250,000 lives, torn that country apart, and displaced 2 million refugees.

Mr. President, sending American troops seems to be the best option available to the United States to help guarantee peace in Europe. While the Dayton peace agreement is far from perfect, it is the only peace agreement that the parties in the conflict have agreed to implement. If successfully implemented and coupled with the arming and training of the Bosnian Moslems before IFOR departs, the agreement holds a promise, in the long run, of ending the violence that has terrorized the people of Bosnia. The alternative is unacceptable—to let the war resume. If the international community does not step in now, it is obvious that more lives will be lost and more refugees will be displaced, and there will be more bloodshed and carnage, and America's credibility as an international leader is also on the line. Our leadership brought the parties to the negotiating table, and our leadership was requested by those parties to help enforce the agreement.

I understand the view that the Congress should have been consulted more closely before the decision to send troops was made. But forcing America to back away from the President's commitment is not the solution. To do so would undermine the morale of our fighting force. Even more, it would diminish our credibility in the international community and send a mes-

sage to aggressors worldwide that they have nothing to fear from America.

I know that U.S. participation in this endeavor is not risk-free. Passions run high in an area where weapons are plentiful. Millions of landmines lay just below the Earth's surface, and weather conditions are likely to be unfriendly. I am persuaded, however, that General Shalikashvili and Secretary Perry have assiduously worked to minimize the risks, and they believe that the risk level has been reduced to its barest minimum level, and that the mission has clear objectives, a sufficiently potent force, an effective command and control structure under American leadership, no-nonsense rules of engagement, a clear time limit, and the cooperation of the various factions.

American troops will have well-defined rules of engagement. They will, as President Clinton said, fight fire with fire, and then some. Our troops will have a clearly defined military mission and will not participate in nation-building tasks. Once again, they will be under American command.

Our soldiers will have the firepower, training, explicit instructions, and authorization necessary to defend themselves and others. They have been trained to deal with every major threat, including landmines, civil disorder, and snipers. I have been assured by General Shalikashvili and Secretary Perry that our troops have the appropriate level of training and are prepared and ready for this peace enforcement mission.

Mr. President, though it is always painful to send American soldiers overseas, I believe the goals of this limited deployment are appropriate. While it is our solemn responsibility to make wise decisions about sending American troops abroad, I have been assured by our military leaders that the members of our All-Volunteer force are prepared for this mission.

America can make a difference in securing the peace in Bosnia. We ought to remain engaged in that endeavor. I hope, Mr. President, that my colleagues will support the Dole-McCain resolution and our troops. I wish them well on this peace mission.

Mr. President, I support America's troops as they head off to Bosnia to help enforce and implement the peace agreement.

As each of us decides about whether or not to support U.S. involvement in this military operation, we need to be mindful of the fact that we are sending young soldiers overseas and that their lives are possibly on the line.

As I evaluated America's involvement in the international effort to enforce a peace agreement in Bosnia, I have reflected on my own situation during the Second World War. When I enlisted in the Army, my father was terminally ill, and my mother was about to become a widow.

While she tended to my father's minute-to-minute needs and also to see that my 12-year-old sister met her

school and personal commitments, I was in uniform.

As I considered America's involvement in this military operation in Bosnia, I recalled the letters I wrote from Europe to my mother in New Jersey, who like the parents of those soldiers being sent to Bosnia, prayed every day for my safe return.

I recalled the deep pride I felt serving my country, and have reflected on the values American soldiers fought for during that conflict and the moral good that came from bringing an end to Hitler's fascist conquests.

Like many Americans, I have been deeply troubled by the cost—in injury and human life—of the war that raged on in Bosnia for the last 3½ years. And I have been haunted by all-too-familiar photographs from the war in the Balkans.

Terrified children left orphaned after slaughter. Moslem women raped by their Bosnian Serb captors. Innocents lying dead in the street. U.N. soldiers chained to poles as human shields. Reports of mass executions and graves.

To their credit, the warring parties have agreed to end these atrocities and open a new chapter in their history.

With America's diplomatic support, they have negotiated a peace agreement which holds the promise of ending the brutality that has inflicted so much pain on their people for so many years. Now that a peace agreement has been negotiated, the parties to the conflict are requesting the assistance of America's military to help monitor and enforce it.

There are many reasons why I believe the Congress should support U.S. involvement in a NATO-led international peace enforcement operation.

I do not agree, Mr. President, with those who argue that the United States has no national interest in intervening to enforce a peace agreement to end this conflict.

The United States does have a national interest in supporting a peaceful end to the bloody conflict in Europe. We must prevent the further spread of this tragic conflict, not only because of its impact on the people of Bosnia, but because further conflict threatens the stability of Europe.

If the war spreads and more countries are drawn into the conflict, America runs the risk of being enveloped in a much larger conflict. By committing 20,000 American soldiers to this international peace enforcement operation now, we may reduce the likelihood that more American troops could be required in Europe later.

While I also understand the view of those who believe Bosnia is a European problem that the Europeans should enforce and monitor the peace agreement on their own, the reality is that without the leadership and direct participation of the United States in this international effort, the peace agreement would go nowhere. The Europeans, through NATO, will be engaged as our partner in this peace enforcement mission.

But as the architect of the peace agreement and as the leader of NATO, only the United States can lead the effort to enforce the peace agreement and put an end to the senseless bloodshed and loss of innocent lives. Only our Nation can lead the way in enforcing the peace agreement which will stop the carnage that has taken 250,000 lives, torn the country apart, and displaced 2 million refugees.

Sending American troops to help enforce and monitor this peace agreement is the best option available to the United States to help guarantee peace in Europe. While the Dayton peace agreement is far from perfect, it is the only peace agreement that the parties to the conflict have agreed to implement.

It will not reunite Bosnia and Herzegovina, but it will, if given a chance to succeed, restore peace, calm, and civility to the region. It will not bring back the lives of those senselessly slaughtered by perpetrators of war crimes, but it will guard future atrocities and ensure that such perpetrators are prohibited from serving in government.

If successfully implemented and coupled with the arming and training of the Bosnian Moslems before IFOR departs, it holds the promise, in the long run, of ending the bloodshed and violence that have terrorized the people of Bosnia for so long.

Mr. President, the alternative to sending U.S. troops to help implement and enforce this peace agreement, is to let the war resume. If the international community does not step in now to enforce this peace agreement, more lives will be lost.

More refugees will be displaced. More children will be orphaned. There will be more bloodshed and carnage. There will be a greater likelihood that the United States will need to intervene at a later time.

America's credibility as an international leader is also on the line. Our leadership brought the parties to the negotiating table, and our leadership was requested by those parties to help enforce and monitor the peace agreement.

I understand the view of many that the Congress should have been more closely consulted before the decision to send troops was made. But I do not believe that forcing America to back away from the President's commitment is the solution in this case. To do so would invite attacks on our troops by those opponents of peace who hope to force the international community out of the Balkans. It would undermine the morale of our troops.

Even more, it would diminish our credibility in the International community. It would send a message to aggressors worldwide that they have little to fear from America. It could be perceived as a green light for the North Koreans to march south. It could be perceived as a green light for Sadaam Hussein to do the same.

To be sure, it would also undermine America's role as NATO's leader.

I know, Mr. President, that U.S. participation in this mission is not risk free.

The parties to the conflict have been fighting for years, and passions run high in an area where weapons are plentiful. Millions of landmines lay just below the Earth's surface, and adverse weather conditions will, no doubt, create difficulties for our soldiers.

But I do not believe these difficulties are insurmountable. Nor do I believe they should keep America from joining the international community in enforcing a peace agreement aimed at stopping the worst atrocities on European soil since the Second World War.

I am persuaded that General Shalikashvili and Secretary Perry have assiduously worked to minimize those risks. They believe the risk level has been minimized and that the mission has clear objectives, a sufficiently potent force, an effective command and control structure under American leadership, no-nonsense rules of engagement, a clear time limit, and the cooperation of the various factions.

American troops participating in this international peace enforcement operation will have well defined rules of engagement. Unlike the lightly armed U.N. peacekeepers previously stationed in Bosnia, American soldiers will be permitted to use force—including deadly force—in cases of self-defense or to protect against a hostile act or hostile intent. They will, as President Clinton said, "fight fire with fire, and then some."

Our troops will have a clearly defined military mission. They will monitor the cease-fire line, the zones of separation, and, when needed, enforce withdrawal from the zones of separation. They will not participate in nation-building tasks.

They will be under American command.

Our soldiers will have the firepower, training, explicit instructions, and authorization necessary to defend themselves and others. They have been trained to deal with every major threat, including landmine, civil disorder, and snipers.

I have been assured by General Shalikashvili and Secretary Perry that our troops are well trained, prepared, and ready for this peace enforcement mission.

Though it is never easy to send American soldiers overseas, I believe the goals of this limited deployment are meritorious. While it is our solemn responsibility to make wise decisions about sending American troops, I have been assured by our military leaders that the members of our all volunteer force are prepared for this mission.

America can make a difference in securing the peace in Bosnia, and we ought to remain engaged in that endeavor. I hope my colleagues will support the Dole-McCain resolution and

our troops. I wish them well on this peace mission.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I wonder if the Chair could outline the current situation in terms of time allocation so that I might speak for a few minutes if it is available.

The PRESIDING OFFICER. The minority has 34 minutes remaining; the majority has 29 minutes. If there is no objection, the Senator is recognized for 3 minutes.

Mr. LAUTENBERG. Thank you, Mr. President. I know the occupant of the chair is a very thoughtful Senator and reviews each situation that comes before him very carefully. We shared a trip to Croatia a couple years ago and had the opportunity to see just on the periphery what happens when the hatred and the venom is unleashed to deal with problems, as those who are there saw fit. We were shocked to learn about the murder of neighbors by other farm neighbors, using farm implements to do the killing and the maiming, and the story about the women locked in a gymnasium after they had been raped by then-renegade rogue Serbian soldiers and made to stay in that facility so they could not dispose of those pregnancies in any way but to deliver a child not of their choice, one that the enemy, their enemy, decided would be an appropriate way of fathering another race.

It recalls for all of us a time just over 40 years ago when it was decided by another Fascist that there would be a super race put upon this Earth, and by artificial insemination, rape and coercion, women were made pregnant to carry members of that super race. It was intolerable. When we learned about it we were shocked and horrified. Now we saw similar things taking place. The world stood by—an unacceptable condition—in a world purportedly civilized, and thusly when we debate the issue here, Mr. President, about whether or not we have a national interest, we have a global interest, we have a human interest.

Yes, it is true that America cannot be the police force around the world, and the questions are raised, why did we do it in this place and why did we not do it in that place? One of the reasons is we were not welcomed by anybody. We saw what happened when our young people were sent to Somalia with an indefinite engagement in front of them.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUTENBERG. I thank the Chair. I see my colleague from Florida is here.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. I thank my colleague, Senator LAUTENBERG.

Mr. President, I recently received a letter from Catherine and Crosby Dawkins of Jacksonville, FL. The letter read in part:

We cannot see any compelling reason for risking the lives of United States servicemen in a centuries old dispute, even though we grieve for the plight of the women and children. If European countries believe the conflict will spread, they should take action.

Mr. President, like many of us, I have received hundreds, possibly thousands of communiques similar to this—deep felt concerns about the risk of American soldiers in Bosnia. These thoughtful letters deserve a response. I take this opportunity to address not only my colleagues in the Senate but also my fellow citizens of Florida who have been so generous and so thoughtful in their letters.

Mr. President, this raises an issue of the United States military troops in Bosnia, a fundamental question of what are the options of the United States in this post-cold-war era? For half a century, the United States knew with clarity and with national unity what its objectives were. Its objectives were to suppress the totalitarianism of Nazism. The goal was to restrain the imperial impulses of the Soviet Union.

Now the United States is charting a new course of action. We have essentially limited options. One of those options, Mr. President, in the post-cold-war era is to stand on the sideline, to essentially be an observer of the world, as we were for much of our Nation's history.

The second option is to be the world's defender, to be prepared to intervene in every conflict.

The third option is to carefully assess our interest and, when a situation begs our involvement, to work within our capabilities to build international coalitions to respond to the conflict. I strongly feel that that third option is the option which is most appropriate and most applicable to the situation that we face tonight in Bosnia.

In assessing the question as to whether our interests in Bosnia are sufficient to beg our involvement, I suggest that our interests do require our involvement. This is not a complete list, but I believe a compelling list of those reasons. The United States has a deep interest in human rights. One of the things that distinguishes our country from those nations which preceded it is that we believe that the purpose of government is to protect and advance the rights of individuals. We found that not only to be a guiding principle in our domestic policy but also in our foreign policy.

One of the great initial disputes in this Nation was over the question of whether the United States should become involved in the French Revolution. Many said that the United States should stand apart, that we were too

small to be effective, and too distant to be effective.

Thomas Jefferson said we meant those words in the Declaration of Independence not just to stand for Americans, or for English colonialists, but they were universal principles of human rights, and that we had not only been given by God certain inalienable rights but also by God, responsibilities to defend those rights wherever they were in jeopardy.

That principle of America's special role in the world that from the very beginning of our Nation has so shaped our culture, is at risk tonight.

We also have some more immediate interests. We have an interest in preserving the international coalition which we know as NATO, a coalition which has served us well in terms of deterring the Soviet Union and which, in all likelihood, will serve us well in the unknown, uncharted future into which we move in the post-cold-war era. If we were to retreat from our commitments to NATO on this, the eve of the signing of the peace agreements in Paris, I think that institution would be forever shattered.

We also have the opportunity by acting tonight to avoid the potential of this horrendous strife, which has taken a quarter of a million lives, rendered 3 million people as refugees, from spreading—spreading first throughout the former Yugoslavia and then throughout the Balkans and then, as we have seen twice in this century, throughout Europe.

We have a deep stake in avoiding having to do what this country has done twice in this century, and that is send American men and women, not as peacekeepers, but as combatants in a war in Europe.

Finally, I think we have a strong interest in demonstrating to the people of the world that our concern for human rights is not limited to people who look like us, attend the same religious institutions as we do, have our same cultural background. There is today an emerging fundamentalism within the Islamic religion. That fundamentalism is receiving support and reassurance from what they see Western Europeans have done, including the United States of America, in Bosnia today.

I believe it is important that we, by our actions now, indicate that we are prepared to stand for the cause of human rights, and protect them wherever our interests indicate that it is appropriate to do so; that we, by so doing, will send a signal that we are prepared to support the responsible elements of the Islamic religion and Islamic nations.

Mr. President, I conclude by citing what we heard just a few hours ago in the House Chamber, the statement made by the Prime Minister of Israel, Shimon Peres.

Mr. President, less than 24 hours ago, Shimon Peres addressed the Congress and the American people on the need

for American leadership in the 21st century. He said:

Even in this very day, as Bosnia reels in agony, you offered a compass and a lamp to a confused situation like in the Middle East. Nobody else was able or was ready to do it. . . .

America, in my judgment, cannot escape what history has laid on your shoulders . . . You cannot escape that which America alone can do. America alone can keep the world free and assist nations to assume the responsibility for their own fate.

Mr. President, that is what is at stake in the decision that we will make this evening.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. Mr. President, it is very difficult to make an important statement with a limited time, but I want to say that I support the President's peacemaking initiative and the Dayton accord and I support the NATO operation in Bosnia. I support the President because I believe that it is our patriotic duty and the right thing to do. I believe that we have an obligation to nurture the peace and to convince warring nations, whenever possible, that the United States will make an effort to help them resolve their conflicts.

This decision was not made easily.

I have, for a long time now, differed with the President on Bosnia policy. Specifically, I have favored the lifting of the arms embargo against the Bosnian Moslems—a policy change that would have assisted the Moslems in defending themselves.

My decision was made only after meeting with the President and his military advisers, carefully considering their views, and deliberating the pros and cons of a U.S. peacekeeping role.

It has been complicated by the fact that the State of Illinois has the largest number of reservists being called up to support our troop deployment to Bosnia. Moreover, I have an 18-year-old son whom I would not want to see put in harm's way should the situation in Bosnia take an untoward turn.

Like most Americans, I am concerned about the risks involved in sending United States ground troops to Bosnia. I want to be sure that the Administration has thought through and addressed all the important questions before United States forces are committed to Bosnia. These questions include the rules of engagement, command structure, the length of our commitment, our exit strategy, and our contingency plans should the peace plan start to unravel, or the warring factions fail to make good on their promises.

But the President has satisfactorily answered each of those concerns, and he has made a strong case on why Congress and the American people should support his decision to send United States peacekeeping forces to Bosnia.

First, the NATO mission is clearly defined, limited, and achievable. It is to implement the military aspects of the peace accord to monitor the cease-

fire, to control the airspace, and to patrol the exclusionary zone separating the former combatants. It does not involve "nation building" or acting as a police force. Moreover, it is not the kind of vague undefined "presence" that led to the United States tragedy in Lebanon. Most important, there is no danger of the kind of "mission creep" that occurred in Somalia.

Second, U.S. troops will not be passive, lightly armed peacekeepers as the U.N. forces have been. They will be heavily armed and have the tanks, the artillery, and the air power necessary to respond forcefully to any threat or challenge.

Third, the rules of engagement are clear, aggressive and unambiguous. They are designed to maximize the safety of our troops. Specifically, U.S. forces will have the authority to meet any threat or violation of the peace agreement with "immediate and decisive force."

Fourth, our commitment is not open-ended. It is planned that United States forces will be deployed in Bosnia for about a year. Military experts suggest it may be less than that.

Fifth, NATO peacekeepers will be under the command of Adm. Leighton W. Smith, Jr., and U.S. soldiers will only take orders from American commanders.

Finally, I have been informed that an effective exit strategy and a carefully constructed contingency plan have been developed, should the peace accord begin to unravel.

No one is underestimating, nor have we any illusions about the difficulties, dangers, and risks of this peacekeeping operation. Sending 20,000 of America's finest young men and women to Bosnia to implement the military provisions of the general framework for peace in Bosnia and Herzegovina is a risky proposition. The conflict there has been long-standing and brutal. The weather is inhospitable and the terrain is treacherous. There are more than 6 million land mines scattered throughout the country. Renegade bands have openly stated their opposition to provisions of the Dayton accord with which they disagree. Finally, all previous cease-fire agreements have ended in failure. Viewed separately, each of these factors imperils the safety of our soldiers; viewed as a whole, the possibility of American casualties is unfortunately very real.

However, we also have to consider the consequences of a failure of United States leadership in Bosnia. If we retreat now on the commitment the President has made, the Dayton agreement would collapse. The war would likely reignite. The slaughter of innocents would begin anew.

Even if there were no Dayton agreement to go back on, however, failure to act would have the most serious kinds of consequences for the United States. A failure by the United States to lead now could well represent a turning point for the entire NATO alliance, and

NATO is the cornerstone of United States national security policy abroad. The United States is NATO's leader. If we fail to lead on an issue of such great importance to NATO, we must expect that kind of failure to have serious consequences for the United States, both in Europe and elsewhere around the world.

Moreover, a failure to act in Bosnia could well lead to broader conflict, one that could have far greater consequences for the United States down the road. If the current conflict is not at least contained, the losing side may well seek allies to redress its defeats on the battlefield. As more parties are drawn in, the conflict becomes ever more larger and ever more serious.

We have already seen that in Bosnia. We have already seen this dynamic at work, the conflict became much larger in the last year, with more parties, and more forces involved, than were engaged 4 years ago. Simply letting the parties fight it out, and watching the conflict continue to grow, is therefore not an acceptable option.

For all its weakness and risks—and the risks are substantial—the Dayton peace agreement still represents our best chance for a durable, lasting peace. It preserves Bosnia within its present borders, provides for free elections, and gives refugees a right to return to their homes.

The Dayton accord calls on NATO to implement the provisions of the agreement. As the unquestioned leader of NATO, U.S. participation in the proposed NATO peacekeeping operation is essential. Without a strong, visible American participation, the hard won negotiated peace in Dayton will unravel and be lost.

For these reasons I did not support H.R. 2206 and will not support the Hutchison-Inhofe resolutions. The Dole-McCain resolution at least acknowledges the leadership role of the United States in NATO and the necessity of our participation in the NATO peacekeeping operation. It also acknowledges many of the essential provisions of the Dayton accord. Finally, the Dole-McCain resolution unequivocally supports our men and women in the military. For these reasons, I will vote in favor of the Dole-McCain resolution and urge my colleagues to do the same.

Mr. President, problems in Europe have twice led to world wars this century. Problems in Europe caused the United States to fundamentally change its foreign policy posture. Since the end of World War II, the United States has made a conscious decision to stay politically, economically, and strategically engaged in Europe. During the cold war we spent trillions of dollars and based hundreds of thousands of American troops in Europe to protect these interests. Clearly the peace, security, stability, freedom, and prosperity of Europe are still vital national interests for the United States, and the vehicle for achieving those interests is NATO.

There is no more difficult—or unpopular—decision an American President can make than to put U.S. armed forces in harm's way. The President has exercised his constitutional prerogative as Commander in Chief, and American troops are being deployed to safeguard vital national interests. Our troops are well-trained for the challenges that await them, and they are prepared to do their duty. They are cognizant of the risks of their chosen profession and are more than willing to make the necessary sacrifices to bring peace and freedom to a war-torn land. All they ask is to know the parameters of their mission in advance, which the President has done, and that Congress and the American people stand behind them.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, none of us in the U.S. Senate, as is clear from the quality of this debate, takes lightly the responsibility of sending American troops into the potential of harm's way. But as each of us decides whether or not to support the President's decision to deploy American troops in Bosnia, I think we need to keep two essential points in mind.

The first is—and it must be reiterated again and again and again—the President is not sending American troops, nor are we ratifying the sending of American troops to Bosnia for the purpose of fighting a war. On the face of it, that may seem like an obvious point. But as I talk to citizens in my home State and listen to people across the country, many Americans do not yet understand what the mission is about or how it may be performed.

We are not sending—nor do I intend to send or want to send—American forces to Bosnia to fight a war. We are not sending American forces to Bosnia to crush enemy forces the way we did in World War II. We are not sending American soldiers to Bosnia to roll back communism the way we tried to in Vietnam, nor are we sending them there to repeal aggression as we did in the Persian Gulf.

The President is asking us to approve sending American troops to Bosnia at the request of parties to a peace agreement, at the request of parties to a conflict who are asking us and other nations to join together to help them to implement a peace that they have stated they want.

To be sure, war has raged in Bosnia for 4 years, but it is not raging now. A cease-fire has been in place since October, and the parties to the conflict have exhausted themselves. And, for the first time in 4 years, they have opted for peace over war.

This Senator contemplates only keeping troops in Bosnia for so long as the parties continue to opt for peace over war. It is their challenge now, not ours, to ensure that all of the elements under their control, under the control of each of them individually, are prepared to accept the peace.

Recent events, such as the destruction by Bosnia and Croat troops of towns to be turned over to the Bosnian Serbs and the stated opposition of Bosnian Serbs in Sarajevo to the peace accords, suggest that even after 4 years of fighting it will indeed take some time to convince those on the ground that this peace agreement is in their interest and that the risks for doing that are real. But that is precisely why this NATO force is needed and is so critical. And it is precisely why we must participate in that force, only if we are to try to give them the chance to make the peace they say they want. In no way should we contemplate making that peace ourselves.

The second critical point we need to keep in mind, Mr. President, is, as I listen to the debate, some Members assert that there is no vital national interest in Bosnia, and I have heard throughout this debate sort of a standard of vital strategic interest, vital national interest. Mr. President, that is the wrong test to apply to Bosnia.

Our vital national interests are our territorial integrity, our political system and ideology, our economic security, and our way of life. We have gone to war four times in this century with the belief that we were protecting them. But let us say clearly up front, in this conflict, in this effort, in this mission, they are not at stake. That is not what is at issue here, and no one pretends that is why we should be involved. That is not what we are doing. We are not going to war to protect a vital national security interest. We are not even sending troops for a vital national security interest.

Whether vital national security interests are at stake is the right question to ask, Mr. President, if you are deciding whether or not to send troops to war, it is not the right question to ask when you are being asked to participate in a multilateral, internationally sanctioned effort to help keep a peace which parties have said they want. And we should remember that we are not being asked to do this alone. We are doing this in conjunction with perhaps 30 other countries.

In many ways, Mr. President, Bosnia is the prototype of the kind of conflict the international community will face in the years ahead as forces, once held in check by superpower politics, are unleashed and, with them, the potential for conflicts all across the globe.

I think it is vital for us to understand that the test is really whether or not there are interests, whether or not there are important interests, that outweigh the risks of our participation.

Mr. President, I have heard colleagues talk about the issue of credibility. Some are going to suggest that the only reason they are prepared to vote to send these troops is to uphold the credibility of the country or the credibility of the President.

Let me say, Mr. President, with searing memories of Vietnam, that is not a reason to send our young military peo-

ple into harm's way. I remember the phrase, "I will not be the first President to lose a war," and we lost tens of thousands of young people over the issue of pride, over the issue of unwillingness to do anything except to sustain somebody's credibility as people saw it. Credibility has to have an underlying notion. It is not an abstract concept which merits the taking of the life of a young American or the giving of a life of a young American. Credibility has to be based on some underlying interest which puts your credibility at stake.

I believe, Mr. President, that that vote—the credibility—is a hedge against a willingness to commit to this President's vision of what credibility might be at stake here.

I believe there are legitimate interests for taking the risk of trying to uphold the peace—not to fight a war, but to try to uphold a peace.

First, how could we as a nation avoid the moral interest in ending the worst atrocities in Europe since World War II? Whoever thought that after World War II Europe would again be the site of human beings being raped as a policy of war, tortured, murdered, separated from families, or thrown out of their homes simply because of ethnic background?

Who will forget quickly the stories recently that drove us to feel compelled to simply leave them to fight for themselves—headlines such as "Bosnia's Orphans of Rape; Innocent Legacy of Hatred," "Mass Graves Probed in Northwest Bosnia," "Anybody Who Moved or Screamed Was Killed: Thousands Massacred on Bosnia Trek in July," "Srebrenica: The Days of Slaughter"?

Who can forget the imperative of the words that we memorialize in Washington and elsewhere in this country, "Never again"?

That is an interest, Mr. President.

Twice in this century Europe was engulfed by war, and the United States fought to save it. We have already invested our blood in the stability and in the prospect of democracy and the future of Europe.

That is an interest, Mr. President.

The conflict in Bosnia has the potential for spillover—and could become a wider war—to areas where ethnic tensions are high: Kosovo, Albania, Macedonia, Greece, and Turkey.

That is an interest, Mr. President.

So we have an interest in ensuring that those things do not happen. We also have an interest in the risks to American forces and to NATO, and the cost of ensuring a peace in Bosnia now will inevitably be less than if we would have to respond to a wider conflict in the future.

Finally, we do have an important interest in demonstrating leadership on an international community level that we have the capacity and the will to lead in the post-cold war world.

For far too long American policy toward Bosnia was vague, vacillating and

ineffective. Now, to the credit of this administration, to our country, we have changed that. And now we are trying to join together with our European allies in an effort to provide the strong response that stopped the Bosnian Serb attacks, that did try to provide a humanitarian corridor, that upheld the notion of international law, and that was willing to try to enforce the concept of safe areas.

Having led the effort—an extraordinary effort by the President, Secretary Christopher, and Assistant Secretary Holbrooke—having led that effort, Mr. President, how do we not have an interest that goes beyond mere credibility in trying now to implement the settlement which we ourselves have instigated and helped put together?

As President Clinton has said, if we do not participate in this operation, there will be no NATO force and the war in Bosnia will begin again. Our moral and political interests in Bosnia and our sense of responsibility demand that we not let that happen—and that we not be ultimately dragged in.

So Mr. President, it is because credibility is based on real interests that I support the President's decision to send our forces to Bosnia but I believe just as firmly the President owes it to the American people and Congress to ensure that the operation is limited in terms of the mission, limited in terms of the goals we set for success, and limited in duration.

As defined by the Dayton peace agreement, the mission of our troops and others participating in IFOR, the Bosnia Peace Implementation Force, is to monitor and enforce compliance with the military aspects of the peace agreement—that is, enforcing the cease-fire, supervising the withdrawal of forces to agreed lines, establishing a zone of separation between them, and returning troops and weapons to cantonments. Recognizing that they may need some help in making the transition from war to peace, the parties asked for a strong, NATO-led force. That is what they are getting and that is what they agreed to in the Dayton peace agreement.

Our troops will take their orders only from the American general who commands NATO and they will have the authority to meet any threat to their safety or any violation of the peace agreement with immediate, decisive force.

When American peacekeepers in Somalia embarked upon what turned out to be an ill-fated mission to apprehend warlord Mohammed Aideed, they lacked the equipment and other elements necessary to ensure success.

From what our military officials have told us, this scenario will not be repeated in Bosnia. Our forces are going in well-trained, well-equipped, heavily armed, and with robust rules of engagement.

I still remain concerned about the potential for so-called mission creep.

Under the terms of the peace agreement, I-For has the authority to “help create secure conditions for the conduct by others of other tasks associated with the peace settlement, including free and fair elections;” to “assist the movement of organizations in the accomplishment of humanitarian missions;” “to assist the UNHCR and other international organizations in their humanitarian missions;” to “observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate violence to life and person;” and to “monitor the clearing of minefields and obstacles.”

True, these are authorities not obligations as Secretary Christopher has pointed out. True, the mission is defined by the NATO plan and these elements are not in the NATO plan, as Secretary Perry told the Foreign Relations Committee.

Nevertheless, these authorities create the potential for expansion of the mission beyond the military tasks cited by administration officials and for increased risk to our troops and those of other nations participating in the operation.

They also create an expectation on the part of the local populations and civilian organizations on the ground that I-For will protect and assist them.

If refugees are being attacked, can our troops really stand by and watch? Would we want them to? If UNHCR ask I-For to help resettle refugees in a given area, will I-For feel compelled to assist? If Catholic Relief Services asks French troops in Sarajevo to protect a convoy of humanitarian aid going into the city, are they bound to assist?

The Organization for Security and Cooperation in Europe [OSCE] is responsible for organizing elections in Bosnia in the next year. What expectations does OSCE, or the parties for that matter, have about IFOR's role in this process?

I remain concerned that IFOR's role in assisting the civilian operations that are to occur in the next year is still somewhat ambiguous. I understand that NATO military planners wanted IFOR to have these authorities to avoid the situation U.N. peacekeepers often found themselves in in Bosnia—that is, standing by and watching as terrible atrocities were committed against innocent civilians.

I agree that our soldiers must act if civilians are under attack or directly threatened. However, the operative word in responding to any of these situations must be “limited.”

IFOR commanders from General Joulwan on down must understand that the American people and Congress will not support a broadened definition of the mission that has American forces serving as the constant protectors of civilian populations. That is not our job; the parties to the agreement must do this by fulfilling the commitments made in the agreement.

Much concern has been expressed in this debate about the exit strategy for American troops. Any exit strategy must be composed of more than a date; it must include criteria to determine whether or not the mission has been successful. I believe that that criteria must be limited solely to the military tasks that IFOR has set out to accomplish.

The civilian tasks that must be undertaken in the next year such as refugee repatriation and resettlement, elections, establishing governmental structures, monitoring human rights, apprehending alleged war criminals, are daunting. They must not become the criteria by which we determine success of the IFOR mission.

The President has stated that the mission which we are asking our troops to undertake will be limited to a year. Undoubtedly during this year, there will be violations of the Dayton agreement.

However, if there is a pattern of violations which indicates that the parties are not truly committed to this agreement, then American forces should be withdrawn. Our soldiers are there to keep the peace, not to fight a war or to prevent a war if the parties want to return once again to being combatants. If it becomes clear as the end of the year approaches, that the duration of the IFOR mission needs to be extended because success is within reach but not yet achieved, the burden of that mission must be shifted away from the United States and more to our European allies.

We must make it clear that we do not intend to stay in Bosnia indefinitely. Bosnia is first and foremost a European problem. If the peace implementation operation must be extended beyond a year, the countries of Europe must be prepared to share more of the responsibility and to replace our forces with theirs as we transition out. In other words, our troops must be out within the limited timeframe the President has set out.

The peace agreement provides for a build-down of the parties' military forces with the goal of achieving military parity by the end of the year, when IFOR is to withdraw. Administration officials have indicated that build-down may not be enough to ensure stability and that the United States will ensure that the Armed Forces of Bosnia and Herzegovina are equipped and trained.

While I agree that military imbalance at the end of a year could be a serious threat to peace, I am concerned about the risk that this process could pose for American forces on the ground. Even though American participants in I-For will not be arming or training Federation forces, they could be targets for Bosnian Serbs who object to the lack of neutrality on the part of the United States.

Beyond the risk factor, it is not at all clear to me, at least, when and

where build down ends and build up begins and who is going to do the building up.

Notwithstanding these concerns, I believe our overall interests in Bosnia warrant the sending of American troops to help keep the peace. Certainly there are risks associated with this operation, but every effort has been made to minimize those risks by ensuring that our forces are well-trained and well-equipped, and that the rules of engagement are robust in order that they may defend themselves against any life-threatening situation.

I recognize that many Americans and indeed some in this body do not believe that we should participate in this mission. As a Vietnam veteran, I know the pain and the difficulty of fighting without the political support of the American people and their representatives.

We are not sending our soldiers to Bosnia to fight a war, but we are asking them to undertake a military mission in the name of peace that is not without risk. No matter what concerns we may have about this endeavor, we owe them our full support. We should demonstrate that support by endorsing the President's decision to send them to Bosnia.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KERRY. Mr. President, it is for these reasons that I believe we must support the President, but let me say that with caution. This must be limited, limited, limited. It must have a clear strategy that does exit us at the end of the year, and we must define success in the context not of the civilian political success but only in the military separation of the forces and the giving of them the opportunity to make a peace.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, what is the remaining order under the unanimous-consent agreement?

The PRESIDING OFFICER. The Senator has up to 26 minutes.

Mr. MCCAIN. Followed by?

The PRESIDING OFFICER. The minority now has 7 minutes remaining.

Mr. MCCAIN. And then the majority leader will speak after that. Is that the unanimous-consent agreement?

The PRESIDING OFFICER. There is no agreement to that effect, but that is the assumption.

Mr. MCCAIN. I thank the Chair.

Mr. President, like all other Senators who have spoken today, I wish this debate were not necessary. I agree with those Senators who have said that they would not have undertaken the commitment made by the President of the United States to deploy American ground forces to Bosnia to implement the tenuous peace that now exists there. But that is no longer the central question of our deliberations this evening. The President did so commit and our obligation now goes beyond expressing our disagreement with that decision.

Many of us did disagree, as is abundantly evident by the number of Senators who support the resolution offered by Senators HUTCHISON, INHOFE, NICKLES, and others, yet we all recognize that the President has the authority to make that decision.

The troops are going to Bosnia, and any prospect that Congress could prevent that deployment disappeared in the overwhelming vote in opposition to prohibiting funding for the deployment, the only constitutional means we have to reverse the President's decision.

Our troops are going to Bosnia. Congress should do everything in our power to ensure that our mission is truly clear, limited, and achievable; that it has the greatest for success with the least risk to the lives of our young men and women. That is our responsibility, as much as the President's.

The resolution that the majority leader and I have offered does not ask Senators to support the decision to deploy. It asks that you support the deployment after the decision had been made. It asks you further to condition your support on some important commitments by the President which I will discuss in a moment.

I intend to give that support, and I commend the majority leader for exercising extraordinary leadership in trying to influence both the nature and security of our mission Bosnia as well as the outcome of the peace process there, to which we have made such a profound commitment. I believe Senator DOLE has significantly helped to improve both the security of our forces and the likelihood that the cause they have been asked to serve—peace in Bosnia—will endure beyond the year our forces will be stationed in that troubled country.

He has accomplished these important objectives by securing assurances from the administration that our soldiers will only be expected to perform those tasks for which they are trained, and will not be ill-used in nation-building exercises. Moreover, he has secured the strong commitment from the President that the United States will lead efforts to establish a stable, military balance in Bosnia which is the only undertaking that can be realistically expected to secure a lasting cease-fire there. Those commitments were well worth our efforts, and, again, I am grateful to the distinguished majority leader for his honorable and effective statesmanship in this effort.

Mr. President, what we should all strive to avoid is giving anyone—anyone—in Bosnia the idea that the American people and their elected representatives are so opposed to this deployment that the least provocation—violent provocation—will force the President to withdraw our forces. I do not want a single terrorist, a single Majahidin or Bosnian Serb sniper to think that by killing an American, they can incite a political uproar in

America that will compel the President to bring our troops home.

That is my first reason for supporting this deployment. I want our enemies to know that America—not just the American force in Bosnia—but all Americans are in deadly earnest about this deployment. Attacks on the safety of those troops should, and I believe will, be met with a disproportionate response. That response will not include abandoning the mission. We must begin now to impress upon all parties in Bosnia that any assault on the security of our soldiers would amount to nothing more than an act of folly on the part of the assailant.

Mr. President, opponents of the President's decision often claim that there is no vital United States security interest in Bosnia that would justify the risk of American lives to defend. I have long agreed that there was no such interest. But there is now. There are the lives of 20,000 Americans to defend. And anyone who thinks they can achieve their own political ends by threatening our troops should be forcefully disabused of that notion, and should not be encouraged in their action by the misperception that the American people and the U.S. Congress are not united in steadfast support of our troops, their safety, and the mission they are now obligated to undertake.

There are other important American interests involved in this deployment. All the parties to the Dayton agreement have stated unequivocally that should the United States renege on its commitment, the peace will collapse and hostilities will resume. We will then watch Bosnians suffer again the mass murder and atrocities that have repulsed all people of decency and compassion.

Moreover, Mr. President, abjuring our commitment now would do considerable damage to NATO, the most successful defensive alliance in history. Many Americans may wonder why we need to be concerned about NATO in the wake of the Soviet Union's collapse. But, Mr. President, the world still holds many dangers for our security, and our enemies are far less predictable than they once were. We will need our friends in the future, as much as they need us now.

Lastly, Mr. President, I want to talk about the relationship between the Nation's credibility and the credibility of its chief executive. In an earlier statement on this question, I asked my Republican colleagues to place as high a premium on this President's credibility abroad, as they would place on a Republican President's.

I asked this because the reliability of the President's word is of enormous strategic value to the American people. The President's voice is the voice of America. When the world loses faith in the commitments of our President, all Americans are less safe—and somewhere down the line American vital interests and American lives will be lost.

The credibility and authority of the President of the United States, and the security of American soldiers, compel our support of their deployment. They are vital interests worth defending whatever our current political differences may be with the President.

Again, by supporting the deployment, I do not confer my approval of the decision to deploy. As I have already stated, I would not have committed American ground forces to this mission, had that decision been up to me. But the decision has been made, by the only American elected to make such decisions—the President of the United States. And I have construed my responsibility in these circumstances as requiring my support for efforts to maximize the prospects for success of the mission and minimize its obvious risks.

My support, and the support I urge my colleagues to give this deployment by voting for the resolution before us, has been characterized by the media as grudging. Fair enough. But let me be clear, I do not want to feed the cynicism of the public—or any members of our free press who might succumb to cynicism from time to time—should they conclude that by our resolution, and our votes preceding this one, that we are trying to avoid speaking clearly in support or opposition, and evade any responsibility for our own actions.

I know what I am doing. I know that by supporting this deployment, if not the decision, I must share in the blame if it ends disastrously. I will accept that responsibility—not happily, but honestly, just as Senators who supported the prohibition on funding for the deployment would have had to accept the blame for the problems that would have occurred if they had been successful in preventing the deployment.

The President will be accountable to the families of any American soldier who dies in service to his country in Bosnia. He will have to answer for their loss. But so will I. I fully accept that in my support of the deployment, and my efforts to influence its conduct and its termination, I incur this obligation.

Beyond offering expressions of sorrow and regret, we will have to tell those families that they bear their terrible loss for the sake of the country. Nothing—absolutely nothing—is harder than that. Just contemplating such a responsibility makes me heartsick.

This may be the hardest vote I have cast as a Member of Congress. It may be the hardest vote I will ever cast. To send young men and women into such evident danger is an awful responsibility. I don't envy the President. Nor do I envy the Senate.

I was once on the other end of the relationship between the military and their civilian commanders. I served with brave men who were sent by our leaders into a calamity—a war we would not win. We were ill used by our political leaders then. We were ill used

by many of our senior commanders. I saw good men lose their lives, lives that were just squandered for a lost cause that the dying believed in, but that many of the living did not. Their cause was honor, their own and their country's. And they found their honor in their answer, not their summons. I will never forget that. Never. Never.

If I have any private oath that I have tried to abide by in my public service it is that I would never ask Americans to serve in missions where success was not defined, the commitment to achieve it uncertain, and its object of less value than its price.

I pray today that I have kept my oath. I will pray so every night for as long as this mission lasts. I wish the people of Bosnia peace. I wish them peace because they deserve that blessing, but even more importantly because the lives of many fine young Americans have been ransomed to that peace. I know that these Americans will perform magnificently, under very difficult circumstances, to secure the objectives of their mission. They will reflect, as they always do, great credit on themselves and on the United States, as they seek again to secure the peace and security in which another people may secure their rights to life, liberty and the pursuit of happiness.

Mr. President, I learned about duty, its costs and its honor, from friends who did not come home with me to the country we loved so dearly, and from friends who overcame adversity with far more courage and grace than I possessed. I have tried to see my duty in this question as they would have me see it.

In the difficult decision—and it is difficult for reasons greater and more honorable than political advantage or disadvantage—our sense of duty may lead us to different conclusions. I respect all of my colleagues for seeking to discharge their solemn responsibilities in this matter after careful deliberation and with honest reasoning.

But I want to make one last point to those Americans—and I do not include any of my colleagues in this category—who oppose this deployment and this resolution because they resent the costs of America's leadership in the world. The burdens that are imposed on the United States are greater than the burdens borne by any other nation. There is no use bemoaning that fact or vainly trying to avoid its reality. This reality will be so for as long as we remain the greatest nation on earth. When we arrive at the moment when less is expected from our leadership by the rest of the world, then we will have arrived at the moment of our decline. We should accept that burden with courage. We cannot withdraw from the world into our prosperity and comfort and hope to keep those blessings. We cannot leave the world alone. For the world will not leave us alone.

So I will support this mission, with grave concern and more than a little

sadness. I will support my President. I will, I believe, support my country and the men and women we have asked to defend us. I give my full support, whatever my concerns. And I accept, fully, the consequences of what I do her today. I ask my colleagues to do so as well.

I ask all Senators to support the Dole resolution, irrespective of their views over the policy that brought our soldiers to Bosnia. I ask for your vote as an expression of support for the American soldiers who, summoned to duty in Bosnia, will find their honor and ours in their answer. I ask for your vote to help reduce the threats to their welfare, and increase the chances that the cause for which they risk so much may succeed, and endure long after they have come home to a grateful nation.

And I ask God to bless the men and women of the U.S. Armed Forces who will render their Nation this great service; to bless the President; to bless the Congress; and to bless the United States. We are all in great need of His benevolence today.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who seeks recognition? The minority leader is recognized.

Mr. DASCHLE. Mr. President, this evening, President Clinton is traveling to Paris to sign the Bosnia peace agreement. The first of 20,000 American troops are on their way to Bosnia to help implement that agreement. And we in the Senate are being asked to make a choice. A choice with profound—even life-and-death—consequences.

Will we give our troops going to Bosnia our full and genuine support? Or will we burden them with the weight of conflicting messages?

In the more than 3½ years since war broke out in the former Yugoslavia, more than a quarter of a million people—including tens of thousands of innocent children—have been killed.

The Bosnian people are weary of war. They have negotiated a peace settlement. They are merely asking us to help them implement it.

Some may ask: Why us? Why must the United States become involved in this ancient conflict? I believe there are three answers.

First, it is in our national interest. Peace and stability in Europe are vital to the United States. Twice in this century, we have seen what horrors can occur when aggression in Europe is allowed to spread unchallenged and unchecked. Twice in this century, Americans have died to keep Europe free of such aggression. To turn our back on Bosnia now, especially after the President has committed American troops, would be to deny what we have learned, and what those earlier generations sacrificed. It would weaken American leadership in NATO. And it would undermine our credibility as a world leader.

Second, we have a moral obligation in Bosnia. For nearly 50 years, we believed that we would never again see concentration camps in Europe. We would never again see men and boys made to dig their own mass graves and then be machine-gunned into them. We were wrong. This is happening in Bosnia, and our national conscience demands that we take a strong stand against it.

In 1948, 3 years after the end of World War II, the French writer and philosopher Albert Camus appealed to the monks of a French monastery to help the children who had been injured and orphaned in that war. "Perhaps we cannot prevent this world from being a world in which children are tortured," Camus said. "But we can reduce the number of children who are tortured. And if you don't help us, who else in the world can help us do it?"

That brings me to the third reason we must help implement this agreement. The United States must help bring peace to Bosnia because no one else in the world can. The leaders of all three factions—Serbs, Croats, and Moslems—have made it clear that they will not participate in the peace process unless we are involved.

I commend President Clinton and all the members of the negotiating team who worked so hard in Dayton to get us to this point. They accomplished what many said was impossible, and their leadership is already saving lives. Without the commitment of this President to peace in the Balkans, there would be no debate tonight, for we could not be on the verge of peace.

I also want to commend the distinguished majority leader, Senator McCAIN, Senator NUNN, and all the senators in our Bosnia working group for the leadership they have shown in negotiating a resolution that says unequivocally to our troops, "We support you."

That mission will give the Bosnian people an opportunity to build a democratic society. Bosnia-Herzegovina will be preserved as a single State with a unified capital of Sarajevo. The Bosnian people will be allowed to hold free elections, and those who have been driven from their homes through fighting and other forms of terrorism will be free to return.

Our mission is clear, limited, and achievable. We are sending our troops to maintain a ceasefire. They will take their orders from an American general. And they will have full authority to respond to threats to their safety with immediate and overwhelming force.

Again, the critical question is, are we going to give our troops our genuine support as they seek to carry out their mission? Or are we going to burden them with conflicting messages?

Mr. President, I believe the Hutchison amendment is gravely misguided and even dangerous. It claims to support our troops, but, in fact, it undermines them. How can we support our troops if we condemn the mission

for which they are risking their lives? Have we learned nothing from our own history?

Sending such a contradictory message would badly undermine the morale of our troops and jeopardize their safety.

It would also undermine U.S. credibility—our commitment to peace, and our commitment to our NATO allies.

Finally, sending such a conflicting and wrong-headed message would undermine the peace agreement itself, and efforts to implement it.

The responsible vote is a vote for the bipartisan resolution offered by the majority leader.

This resolution supports our troops unequivocally. It commends them for their professionalism and patriotism and bravery. It assures that they will have all the resources and authority they need to protect the peace—and protect themselves.

It recognizes the vital interests our Nation has in preventing the spread of the Bosnian conflict and ending the bloodshed. It preserves America's leadership within NATO, and it preserves our credibility with our allies.

And it requires the President to certify two important conditions. First, that the NATO implementation force is limited to implementation of the peace agreement and protection of NATO troops. And second, that the United States objectives in Bosnia are to maintain the peace and establish a military balance that will allow the Bosnian Moslems to defend themselves when NATO withdraws.

As the Senator from Oklahoma noted earlier tonight, the Hutchison/Inhofe and Dole/McCain resolutions are contradictory. The Hutchison resolution, although it is non-binding, sends a dangerous and conflicting message that will undermine and endanger American troops.

The Dole/McCain resolution is binding legislation that asserts Congressional authority and responsibility and sends a clear message that we support our troops and the cause for which they are risking their lives. It is the right thing to do.

To echo the words of Camus, the United States cannot prevent all wars, everywhere. But we can reduce the number of children and adults killed in Bosnia. Our national security, and our national conscience, demand that we try.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER (Mr. WARNER). The majority leader is recognized.

DEPLOYMENT OF UNITED STATES ARMED FORCES IN BOSNIA AND HERZEGOVINA

Mr. DOLE. Mr. President, I send my resolution to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 44) concerning the deployment of United States Armed Forces in Bosnia and Herzegovina.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. DOLE. That resolution will be the second vote. The first vote will be on the Hutchison resolution.

Mr. President, let me indicate at 10:05 p.m. our time, and 4:05 in the morning in Bosnia, where many Americans are now and where hundreds and thousands more will be on the way, I think we have to understand what we are about to vote on here. We are not voting on a decision to send American troops to Bosnia. That decision has been made. It was made 2 years ago by the President of the United States. Without consulting Congress, the President of the United States made that decision.

So we say to those soldiers who may be on early duty there at 4 a.m. in the morning, in the bitter cold—from those of us in the warmth of the U.S. Senate, free from any danger—we are about to cast a vote. We are about to cast a vote, Sergeant Jones or Private Smith, whoever it is, to indicate that we support your efforts there. They may have some misgivings about why they are there, and we may have some doubts. I listened to the eloquent statement of Senator McCAIN, and I listened last evening to the final speaker of the evening, Senator COHEN from Maine, but this is not about politics. This is not about a Democratic President and a Republican majority in the U.S. Senate. This is about a lot of frightened young Americans who are in Bosnia, or on their way to Bosnia. I assume they may not have thought of it directly, but I believe they will think of it one of these days; they are going to be looking back to see if they had the support of those who represented them in the Congress of the United States. They may not be thinking of that at 4:10 a.m.

So this is a very difficult debate for Members of Congress. It is a difficult debate because Congress was not part of the decisionmaking with respect to sending troops. Congress was not consulted. Congress was told of the President's commitment to send troops after the commitment was made. And then we were faced with the dilemma of undermining that commitment or acquiescing in a military mission with serious flaws. And make no mistake about it, the President has said he made this decision and he takes responsibility. It was his decision to send troops and his decision alone.

A lot of Members of Congress, some on both sides of the aisle—in fact, 69 of us voted the last time to lift the arms embargo to give the Bosnians an opportunity to defend themselves—which is precisely the reason we are here tonight—so that we would not be sending American troops or making that decision. But the President rejected that. That was bipartisan in the House and

in the Senate. We opposed the arms embargo. As I said, we repeatedly voted to lift it. Some of my colleagues were concerned about that.

We have two resolutions before us tonight. I understand that a number of Senators support the resolution offered by the Senator from Texas; the Senators from Oklahoma, Senator INHOFE and Senator NICKLES; and a number of others. That resolution emphasizes very clearly that we oppose the decision to deploy troops. No doubt about it. We disagree, we oppose. It is his decision, and he said as much as recently as, I think, Sunday on "60 Minutes."

However, a vote on this resolution does not provide our troops, who are now in Bosnia at 4:08 in the morning, and the other thousands who will be there tomorrow, or next week, or next month—I think it makes a point, but it does not make a policy. It does not effect a policy. It does not make the job our forces have to do any safer or any easier, nor does it provide a plan to achieve a military balance in Bosnia or increase the chances for successful completion of our mission.

I assume most of our colleagues will vote for that resolution. If they do, I wish they would follow up their signal to President Clinton by voting "yes" on the Dole-McCain-Nunn resolution. I want to be clear about what that resolution does and does not do. This resolution does not endorse the President's decision. It does not endorse the agreement reached in Dayton. It does support our men and women in uniform.

It does limit the mission to military tasks only and requires a realistic exit strategy based on the goal of Bosnian self-reliance. To put it simply, President Clinton has a plan to get us into Bosnia; this resolution shows us a way out.

It sets three conditions on the deployment of American forces: No. 1, it limits the mission to implementing military provisions of the accord. No Somalia-style nation building, for example. It insists on an exit strategy linked to military balance so Bosnia can defend itself. Somebody said that is bad policy because if they are armed and trained we may have to stay longer. I do not understand that argument. We have been debating on this floor for 2 years that we ought to arm and train the Bosnians and lift the arms embargo so they can defend themselves. That is precisely what we wish to do here. No. 3 also provides U.S. leadership on an immediate effort to provide Bosnia that means to defend itself. I think if these conditions are met they will help enhance the safety of our forces and assure that they can withdraw in a timely manner and without triggering a resumption of hostilities.

Let us be clear, setting a date is not an exit strategy. In fact, many will argue that if we set a date nothing will happen until that date expires, and then hostilities will recur.

I suggest that I think we have been able to perform a valuable service here

for our colleagues regardless of their feelings about the decision. I did not agree with it. You do not agree with it—maybe some do agree with the decision. The decision has been made. The deployment started. Our goal should be a Bosnia that is self-reliant, able to defend itself without depending on the United States or any outside force.

I want to emphasize just a few points on this critical issue. First, the word "lead" is essential. Without U.S. leadership, this will not happen. Leading does not mean going it alone but it does mean acting like the sole remaining superpower. Second, our language makes it clear that the efforts to arm and train will take place separate and apart from NATO, IFOR; no United States military forces in NATO operation will be involved enabling Bosnia to defend itself. Finally, this resolution states that the Bosnians should be provided with assistance of the highest possible quality—American where necessary—and that of other countries when sufficient.

I also point out this resolution requires the President report extensively on his plan to enable Bosnia to provide for its own defense and on all aspects of the military and civilian aspects of the operation.

I want to say a few words about Senator MCCAIN and his leadership on national security issues. From his sacrifice during Vietnam—and I know I was not standing here; I was not in leadership, I was standing back there somewhere. I was wearing a JOHN MCCAIN bracelet, proudly—a POW bracelet—and arguing with my Democratic colleagues on the other side not to cut off funding in the Vietnam war. I led debate on this floor for 7 weeks in an effort to derail those who would cut off funding while JOHN MCCAIN was in a little box over there in prison and there were thousands like him and thousands and thousands of Americans.

The theory was just cut off funding. The war will end. That is not the way it works.

So JOHN MCCAIN came back, others came back, and others did not come back as Senator MCCAIN said earlier. Then he became a freshman Congressman and opposed the deployment in Lebanon in 1983. It seems to me, not that I have any more insight than anybody else in this body, but there is something about a relationship that you build up in the service and you understand one thing: How important support is from America—whether it is your family, whether it is your little hometown, whether it is your State, whether it is the Congress of the United States.

I say to Senator MCCAIN and many others who were prisoners of war in Vietnam, no one works any harder on the issues of war and peace. I did not agree with Senator MCCAIN on normalizing relations with Vietnam, but he was there and I was not. No one takes his responsibility more seriously. We could not have reached this agreement

without his almost minute-by-minute involvement.

Let me say one other thing about leadership: It is not easy. The easiest vote is no, no, no. I recall being on the floor in this position in January 1991, the 10th, 11th, and 12th, when we had troops in the gulf. President Bush had decided to come to Congress and ask for support. I remember at the time we had a very good debate—3 days of it—Democrats and Republicans, and I do not question anybody's motives. The thing that struck me as I looked at it at the time and as I look back at it now, not a single member of the Democratic leadership in the House or the Senate would stand up on this floor or the House floor and support President Bush. They did not have to agree with President Bush. I do not agree with President Clinton. But the troops were there. I thought that was a tragic mistake. You pay a price for leadership. Some will have short-term political gain and some just truly feel we should not be doing anything and that the only vote is no.

I ask my colleagues, it is now 17 after 4 o'clock a.m. in Bosnia, and Americans are there, so if we cut off funding this morning, I do not know what would have happened. If we pass the Hutchison resolution, I do not know what will happen. I hope if we pass the Dole-McCain-Nunn, et al., resolution that we will have provided an exit strategy, a way to extricate Americans by arming and training Bosnians, so that they can be an independent force and so we can go home, so that those Americans who are there today at 18 after 4 o'clock a.m. in the morning will not be there next Christmas.

That is what this debate is all about. It is not easy. I have had a lot of mail, a lot of phone calls, from a lot of people, who I do not think understand the issue. The issue we are voting on tonight is not a decision to send American troops. Let me conclude with that. We can posture and complain about the President's decision. I do not like it. He knows I do not like it. I told him I do not like it. I said publicly I do not like it. If we had our way, we would have lifted the embargo and we would not be talking about sending troops. That is our argument. I think it would have been correct.

I guess our decision is whether we are going to send a message to all the families in America, to all the troops who are on the way to Bosnia, plus all the other American forces who someday may be engaged in some conflict, because we do have a responsibility from time to time. They will ask themselves, do we have the support of the American people, of our families and of our representatives? I think that is what this debate is all about. I hope that is how it is received by the people who watch or listen or read the RECORD or listen to each other.

I ask my colleagues to think very carefully. We are going to be debating this. I assume this is just the first debate. A month from now, 2 months

from now, 3 months from now, 4 months from now, something happens, there will be other debates and other efforts made. But this is the important, this is the first step. This is a signal to the American forces that we support you. We support you, as we should.

Finally, I ask unanimous consent to have printed in the RECORD an exchange I have had with the President on his assurances that the Bosnians will be provided with arms and the training they need. I think the letters are very important. It is part of the legislative history, because the President has given his word that that training will be provided and arms will be furnished. And, again, that is very important. It may be lost on someone now, but it is going to be very important not a year from now, as the Senator from Maine said last night, 9 months from now, 9 months from now is when it starts. If they are not trained, and if we have to wait 6 months, it may be lost.

So, it is up to us. If not now, when? This is the time to support American forces.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, DC., December 10, 1995.

DEAR MR. LEADER: I want to set forth for you the Administration's policy with respect to military stabilization measures in Bosnia.

The Bosnian Serb advantage in heavy weapons relative to the defense capability of the Bosnian Federation has been a major reason for the fighting in Bosnia and remains a potential source of instability. We believe that establishing a stable military balance within Bosnia by the time IFOR leaves is important to preventing the war from resuming and to facilitate IFOR's departure.

The Dayton Agreement has strong arms control provisions which provide for a "build-down" of forces. We intend to pursue these vigorously. An arms restraint regime obviously can help contribute to a stable balance.

Even with arms control, we anticipate there will be a deficiency on the part of the Federation. Accordingly, we have made a commitment to the Bosnian Federation that we will coordinate an international effort to ensure that the Federation receives the assistance necessary to achieve an adequate military balance when IFOR leaves.

Because we want to assure the impartiality of IFOR, providing arms and training to Federation forces will not be done by either IFOR or U.S. military forces. The approach we intend to pursue is for the U.S. to coordinate the efforts of third countries.

Our efforts in this connection already have begun. An assessment team to evaluate the needs of the Federation has just returned from Bosnia. We will proceed with this effort in a manner that is consistent with the UN resolution lifting the arms embargo and the relevant Dayton Agreement provisions, which allow planning and training to proceed, but restrict actual transfers during the initial six months, in particular of all arms for 90 days, and heavy weapons for 180 days, after the Agreement enters into force.

Sincerely,

BILL CLINTON.

U.S. SENATE,

Washington, DC, December 12, 1995.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to seek clarification on several critical issues raised in your December 10 letter regarding your administration's policy on arming and training Bosnian Federation forces. In our view, it is essential to clarify these matters—which are integral to the U.S. exit strategy—prior to moving forward with Senate consideration of your administration's decision to send U.S. ground forces to implement the Dayton agreement.

You acknowledge the Bosnian Serb military advantage and the need to establish a stable military balance within Bosnia by the time the NATO Implementation Force (IFOR) leaves. In your address to the nation, you justified American participation in IFOR by stating the need for American leadership. However, your letter does not indicate that the United States will lead in the critical effort of ensuring the Bosnians can defend themselves. We are seeking your confirmation that the United States will lead in coordinating and providing the Bosnians with the means for self-defense. Without an American-led effort to rapidly provide the Bosnians with the best possible quality arms, equipment, and training, we believe that the Bosnians will not be able to adequately defend themselves within a year.

Also in this regard, while we understand that the arming and training program should be conducted separately from the IFOR peacekeeping operation, to state that no U.S. military forces will be involved—as your letter does—is a guarantee that such a program will be wholly ineffective and may not even occur. A strict prohibition on all U.S. military involvement outside the territory of Bosnia would severely cripple American efforts to ensure that the Bosnians are provided with the weapons and training they need. Military planning, coordination, information-sharing, or even Bosnian participation in the International Military Education and Training (IMET) could not occur under such a prohibition. It seems that so severely limiting our flexibility would not be in our national interest.

Finally, we urge you to focus on what the United States can do, rather than what we cannot do under the U.N. Security Council resolution lifting the arms embargo. For example, training can begin immediately—presumably outside of Bosnia. Also, an array of defensive weapons could be provided to Bosnian Federation forces on day 91 consistent with the U.N. resolution—as could any weapon not classified as "heavy" under the terms of the U.N. resolution.

We hope that you will clarify these matters as soon as possible so that we may proceed with consideration of the Dole-McCain resolution.

Sincerely,

BOB DOLE.

THE WHITE HOUSE,
Washington, DC, December 12, 1995.

DEAR MR. LEADER: I am writing in response to your December 12 letter on equip and train. You raise several questions to which I would like to respond.

First of all, the United States will take a leadership role in coordinating an international effort to ensure that the Bosnian Federation receives the assistance necessary to achieve an adequate military balance when IFOR leaves. As in all things related to our effort to bringing peace to the region, U.S. leadership has been critical.

As I stated in my December 10 letter to you, I want to assure the impartiality of

IFOR. In the view of my military advisors, this requires minimizing the involvement of U.S. military personnel. But we expect that some individual military officers, for example, working in OSD, DSAA or other agencies, will be involved in planning this effort. We also will offer the Bosnians participation in U.S. programs such as IMET. I agree that maintaining flexibility is important to the success of the effort to achieve a stable military balance within Bosnia. But I will do nothing that I believe will endanger the safety of American troops on the ground in Bosnia. I am sure you will agree that is my primary responsibility.

I want to assure you that I am focusing on what the United States can do. That is why I sent an assessment team to the region to properly evaluate the needs of the Federation. Training programs and provision of non-lethal assistance can begin immediately after the peace agreement enters into force; and provision of small arms can begin after three months. We intend to move expeditiously.

I have given you my word that we will make certain that the Bosnian Federation will receive the assistance necessary to achieve an adequate military balance when IFOR leaves. I intend to keep it.

Sincerely,

BILL CLINTON.
EXPRESSING OPPOSITION OF CONGRESS TO PRESIDENT CLINTON'S PLANNED DEPLOYMENT OF GROUND FORCES IN BOSNIA

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. The question occurs on agreeing to Senate Concurrent Resolution 35.

The yeas and nays have not been ordered.

Mr. DOLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced, yeas 47, nays 52, as follows:

[Rollcall Vote No. 602 Leg.]

YEAS—47

Abraham	Feingold	McConnell
Ashcroft	Frist	Murkowski
Bennett	Gorton	Nickles
Bond	Gramm	Pressler
Brown	Grams	Santorum
Burns	Grassley	Shelby
Campbell	Gregg	Simpson
Coats	Hatch	Smith
Cochran	Hatfield	Snowe
Cohen	Helms	Specter
Coverdell	Hutchison	Stevens
Craig	Inhofe	Thomas
D'Amato	Kempthorne	Thompson
Dole	Kyl	Thurmond
Domenici	Lott	Warner
Faircloth	Mack	

NAYS—52

Akaka	Daschle	Inouye
Baucus	DeWine	Jeffords
Biden	Dodd	Johnston
Bingaman	Dorgan	Kassebaum
Boxer	Exon	Kennedy
Bradley	Feinstein	Kerry
Breaux	Ford	Kerry
Bryan	Glenn	Kohl
Bumpers	Graham	Lautenberg
Byrd	Harkin	Leahy
Chafee	Heflin	Levin
Conrad	Hollings	Lieberman

Lugar	Nunn	Roth
McCain	Pell	Sarbanes
Mikulski	Pryor	Simon
Moseley-Braun	Reid	Wellstone
Moynihan	Robb	
Murray	Rockefeller	

So the concurrent resolution (S. Con. Res. 35) was rejected.

Mr. FORD. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DEPLOYMENT OF UNITED STATES ARMED FORCES IN BOSNIA AND HERZEGOVINA

The Senate continued with the consideration of the joint resolution

The VICE PRESIDENT. The question is on the engrossment and third reading of the joint resolution, Senate Joint Resolution 44.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The VICE PRESIDENT. The joint resolution having been read the third time, the question is, Shall it pass?

Mr. BOND. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 603 Leg.]

YEAS—69

Abraham	Dorgan	Lieberman
Akaka	Exon	Lugar
Baucus	Feinstein	Mack
Bennett	Ford	McCain
Biden	Glenn	McConnell
Bingaman	Gorton	Mikulski
Bond	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Bradley	Hatch	Murkowski
Breaux	Heflin	Murray
Bryan	Hollings	Nunn
Bumpers	Inouye	Pell
Burns	Jeffords	Pryor
Byrd	Johnston	Reid
Campbell	Kassebaum	Robb
Chafee	Kempthorne	Rockefeller
Cochran	Kennedy	Roth
Cohen	Kerrey	Sarbanes
Conrad	Kerry	Simon
Daschle	Kohl	Simpson
DeWine	Lautenberg	Specter
Dodd	Leahy	Stevens
Dole	Levin	Wellstone

NAYS—30

Ashcroft	Gramm	Nickles
Brown	Grams	Pressler
Coats	Grassley	Santorum
Coverdell	Gregg	Shelby
Craig	Hatfield	Smith
D'Amato	Helms	Snowe
Domenici	Hutchison	Thomas
Faircloth	Inhofe	Thompson
Feingold	Kyl	Thurmond
Frist	Lott	Warner

So the joint resolution (S.J. Res. 44) was passed.

The preamble was agreed to.

The joint resolution, with its preamble, is as follows:

S.J. RES. 44

Whereas beginning on February 24, 1993, President Clinton committed the United

States to participate in implementing a peace agreement in Bosnia and Herzegovina without prior consultation with Congress;

Whereas the Republic of Bosnia and Herzegovina has been unjustly denied the means to defend itself through the imposition of a United Nations arms embargo;

Whereas the United Nations Charter states the "the inherent right of individual and collective self-defense," a right denied the Republic of Bosnia and Herzegovina whose population has further suffered egregious violations of the international law of war including ethnic cleansing by Serbian aggressors, and the Convention on Prevention and Punishment of the Crime of Genocide, to which the United States Senate gave its advice and consent in 1986;

Whereas the United States Congress has repeatedly voted to end the United States participation in the international arms embargo on the Republic of Bosnia and Herzegovina as the best way to achieve a military balance and a just and stable peace without the deployment of United States Armed Forces in Bosnia and Herzegovina;

Whereas the Republic of Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia initialed the General Framework Agreement and Associated Annexes on November 21, 1995 in Dayton, Ohio, after repeated assurances that the United States would send troops to assist in implementing that agreement;

Whereas three dedicated American diplomats—Bob Frasure, Joe Kruzel, and Nelson Drew—lost their lives in the American-led diplomatic effort which culminated in the General Framework Agreement;

Whereas as part of the negotiations which led to the General Framework Agreement, the United States has made a commitment to ensure that the Federation of Bosnia and Herzegovina is armed and trained to provide for its own defense, and that commitment should be honored;

Whereas the mission of the NATO Implementation Force is to create a secure environment to provide Bosnia and Herzegovina an opportunity to begin to establish a durable peace, which requires the Federation of Bosnia and Herzegovina to be able to provide for its own defense;

Whereas the objective of the United States in deploying United States Armed Forces to Bosnia and Herzegovina can only be successful if the Federation of Bosnia and Herzegovina is armed and trained to provide for its own defense after the withdrawal of the NATO Implementation Force and the United States Armed Forces; and

Whereas in deciding to participate in implementation of the General Framework Agreement in Bosnia and Herzegovina, President Clinton has cited American interests including maintaining its leadership in NATO, preventing the spread of the conflict, stopping the tragic loss of life, and fulfilling American commitments;

Whereas on December 3, 1995, President Clinton approved Operation Joint Endeavor and deployment of United States Armed Forces to Bosnia and Herzegovina began immediately thereafter: Now therefore be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUPPORT FOR UNITED STATES ARMED FORCES.

The Congress unequivocally supports the men and women of our Armed Forces who are carrying out their missions in support of peace in Bosnia and Herzegovina with professional excellence, dedicated patriotism and exemplary bravery, and believes they must be given all necessary resources and support to carry out their mission and ensure their security.

SEC. 2. DEPLOYMENT OF UNITED STATES ARMED FORCES.

(a) Notwithstanding reservations expressed about President Clinton's decision to deploy United States Armed Forces to Bosnia and Herzegovina and recognizing that:

(1) the President has decided to deploy United States Armed Forces to implement the General Framework Agreement in Operation Joint Endeavor citing American interests in preventing the spread of conflict, maintaining its leadership in NATO, stopping the tragic loss of life, and fulfilling American commitments;

(2) the deployment of United States Armed Forces has begun; and

(3) preserving United States credibility is a strategic interest, the President may only fulfill his commitment to deploy United States Armed Forces in Bosnia and Herzegovina for approximately one year to implement the General Framework Agreement and Military Annex, pursuant to this Resolution, subject to the conditions in subsection (b).

(b) REQUIREMENT FOR DETERMINATION.—Before acting pursuant to this Resolution, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate, his determination that—

(1) the mission of the NATO Implementation Force and United States Armed Forces deployed in Bosnia and Herzegovina will be limited to implementation of the military provisions of the Military Annex to the General Framework Agreement and measures deemed necessary to protect the safety of the NATO Implementation Force and United States Armed Forces;

(2) an integral part of the successful accomplishment of the U.S. objective in Bosnia and Herzegovina in deploying and withdrawing United States Armed Forces is the establishment of a military balance which enables the Federation of Bosnia and Herzegovina to provide for its own defense without depending on U.S. or other outside forces; and

(3) the United States will lead an immediate international effort, separate and apart from the NATO Implementation Force and consistent with United Nations Security Council Resolution 1021 and the General Framework Agreement and Associated Annexes, to provide equipment, arms, training and related logistics assistance of the highest possible quality to ensure the Federation of Bosnia and Herzegovina can provide for its own defense, including, as necessary, using existing military drawdown authorities and requesting such additional authority as may be necessary.

SEC. 3. REPORT ON EFFORTS TO ENABLE THE FEDERATION OF BOSNIA AND HERZEGOVINA TO PROVIDE FOR ITS OWN DEFENSE.

Within 30 days after enactment, the President shall submit a detailed report on his plan to assist the Federation of Bosnia to provide for its own defense, including the role of the United States and other countries in providing such assistance. Such report shall include an evaluation of the defense needs of the Federation of Bosnia and Herzegovina, including, to the maximum extent possible:

(a) the types and quantities of arms, spare parts, and logistics support required to establish a stable military balance prior to the withdrawal of United States Armed Forces;

(b) the nature and scope of training to be provided;

(c) a detailed description of the past, present and future U.S. role in ensuring that the Federation of Bosnia and Herzegovina is provided as rapidly as possible with equipment, training, arms and related logistic assistance of the highest possible quality;

(d) administration plans to use existing military drawdown authority, and other assistance authorities pursuant to section 2(b)(3); and

(e) specific or anticipated commitments by third countries to provide arms, equipment or training to the Federation of Bosnia and Herzegovina.

The report shall be submitted in unclassified form, but may contain a classified annex.

SEC. 4. REPORTS TO CONGRESS ON MILITARY ASPECTS OF IMPLEMENTATION OF THE GENERAL FRAMEWORK AGREEMENT.

(a) Thirty days after enactment, and at least once every 60 days thereafter, the President shall submit to the Congress a report on the status of the deployment of United States Armed Forces in Bosnia and Herzegovina, including a detailed description of:

(1) criteria for determining success for the deployment;

(2) the military mission and objectives;

(3) milestones for measuring progress in achieving the mission and objectives;

(4) command arrangements for United States Armed Forces;

(5) the rules of engagement for United States Armed Forces;

(6) the multilateral composition of forces in Bosnia and Herzegovina;

(7) the status of compliance by all parties with the General Framework Agreement and associated Annexes, including Article III of Annex I-A concerning the withdrawal of foreign forces from Bosnia and Herzegovina;

(8) all incremental costs of the Department of Defense and any costs incurred by other federal agencies, for the deployment of United States Armed Forces in Bosnia and Herzegovina, including support for the NATO Implementation Force;

(9) the exit strategy to provide for complete withdrawal of United States Armed Forces in the NATO Implementation Force, including an estimated date of completion; and

(10) a description of progress toward enabling the Federation of Bosnia and Herzegovina to provide for its own defense.

(b) Such reports shall include a description of any changes in the areas listed in (a)(1) through (a)(10) since the previous report, if applicable, and shall be submitted in unclassified form, but may contain a classified annex.

SEC. 5. REPORTS TO CONGRESS ON NON-MILITARY ASPECTS OF IMPLEMENTATION OF THE GENERAL FRAMEWORK AGREEMENT.

Thirty days after enactment, and at least once every 60 days thereafter, the President shall submit to the Congress a report on:

(a) the status of implementation of non-military aspects of the General Framework Agreement and Associated annexes, especially Annex 10 on Civilian Implementation, and of efforts, which are separate from the Implementation Force, by the United States and other countries to support implementation of the non-military aspects. Such report shall include a detailed description of:

(1) progress toward conducting of elections;

(2) the status of return of refugees and displaced persons;

(3) humanitarian and reconstruction efforts;

(4) police training and related civilian security efforts, including the status of implementation of Annex 11 regarding an international police task force; and

(5) implementation of Article XIII of Annex 6 concerning cooperation with the International Tribunal for the Former Yugoslavia and other appropriate organizations in the investigation and prosecution of war

crimes and other violations of international humanitarian law;

(b) the status of coordination between the High Representative and the Implementation Force Commander;

(c) the status of plans and preparation for the continuation of civilian activities after the withdrawal of the Implementation Force;

(d) all costs incurred by all U.S. government agencies for reconstruction, refugee, humanitarian, and all other non-military bilateral and multilateral assistance in Bosnia and Herzegovina; and

(e) U.S. and international diplomatic efforts to contain and end conflict in the former Yugoslavia, including efforts to resolve the status of Kosovo and halt violations of internationally-recognized human rights of its majority Albanian population.

Such reports shall be submitted in unclassified form, but may contain a classified annex.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, let me thank all of my colleagues, as I have indicated before.

On tomorrow, we will take up the Interior conference report, with 6 hours of debate. We will start that at 10:30 a.m. From 9:30 to 10:30, we will have a period for the transaction of morning business.

MORNING BUSINESS

Mr. DOLE. Mr. President, I now ask unanimous consent that there be a period for the transaction of routine morning business with members permitted to speak therein for up to 5 minutes each.

The VICE PRESIDENT. Without objection, it is so ordered.

SENIOR CITIZEN FREEDOM TO WORK ACT

Mr. DOLE. Mr. President, I am pleased to introduce the Senior Citizens' Freedom to Work Act with my colleagues, Senators MCCAIN and ROTH.

This bill would provide long overdue relief for our senior citizens. It would remove a significant impediment that deters seniors from continuing to work. Under the bill, seniors could earn up to \$30,000 by the year 2002 without affecting their Social Security benefits.

I intend to work for enactment of the legislation this year to begin immediately lifting the unreasonably low earnings limit. We will phase in the increase over the next 7 years from the current level of \$11,280 to \$30,000.

This legislation is important for the economy. Continuation of the current policy, which does not utilize the experience and productivity of our seniors, is wasteful and short-sighted.

This legislation is also important for the protection of the Social Security and Medicare trust funds. The bill clarifies that the Secretary of the Treasury is not authorized to under in-

vest and/or disinvest Social Security and Medicare trust fund monies in Federal securities or obligations in order to avoid the limitations on the public debt.

I urge my colleagues in the Senate to support this effort. Specifically, I urge my colleagues on the Finance Committee to join with me to report the bill out of committee tomorrow.

THE NEW READY OR NOT PROGRAM TO COMBAT UNDERAGE DRINKING

Mr. DASCHLE. Mr. President, every day in Congress, we tackle some of the most pressing problems facing our nation. But sometimes, the best solutions don't come from the Capitol. They come from homes and schools and community organizations that you find in every town and city, all across the country. That's what a new program called "Ready or Not: Talking with Kids About Alcohol," is all about.

If you have kids, you know that telling them to "just say no" to alcohol doesn't always work. Kids want to know why they should say no. "Ready or Not" is a new video educational program that's designed to help parents and other adult supervisors answer that question for kids between the ages of 10 and 14.

"Ready or Not" is a joint effort of the Boys & Girls Clubs of America and the Century Council, an organization funded by the alcohol industry. It was introduced just after Thanksgiving, and it's already making an impact. I want to congratulate the Boys and Girls Club and the Century Council for all the time and energy they've invested in this important program.

I also want to commend my 36 colleagues in the House and Senate who have joined me in officially endorsing this life-saving project.

A recent survey of America's pre-teens—pre-teens—shows that about four in 10 expect to have problems handling situations involving the use of alcohol. Another survey by the University of Michigan found that, in 1994, more than a quarter of America's eighth-graders reported drinking alcohol in the last month. And, more and more kids are becoming "binge drinkers."

We know from our experience in combating teen smoking that if you reach kids early and tell them the truth, they're far more likely to make good decisions about their health. "Ready or Not" will help us replicate that success, we hope, with teen drinking.

There are two reasons that "Ready or Not" targets kids between the ages of 10 and 14. First, that's when many "problem drinkers" first start experimenting with alcohol. Second, and more important, parents and other adults still have a lot of influence over kids at that age. With the help of "Ready or Not," we can reach kids who are in danger of abusing alcohol, and prevent problems before they start.

The last thing a developing mind and body needs is to be stunted with alcohol. "Ready or Not" will help parents and teachers and other adults make that case convincingly to America's young people. It fills a critical need, and I'm proud to lend my name to help support it.

SHOULD THERE BE FEDERAL FARM PROGRAMS?

Mr. LEAHY. Mr. President, for the past decade most of the debate on farm programs has centered around only one question:

"How much should we spend on farm programs?"

Four months ago, I took to the floor to address this issue and noted that the debate has shifted to whether there should be any programs that provide benefits to farmers.

Now, the Republican majority has reported a bill that again only answers the "how much" question. It will give \$55 billion of the taxpayers funds to farmers over the next 7 years.

The fundamental question is not answered. Should there be farm programs at all?

Farm programs have never been welfare programs.

They have been a contract with the American people.

Here is a copy of the contract that the farmers signs each year with the American taxpayer.

No farmer is required to sign this contract. Each farmer signs voluntarily.

HISTORICAL RATIONALE FOR FARM PROGRAMS

Historically, the contract was a "price and production stabilization" contract—as it says here at the top of this document. The taxpayers paid farmers to set land aside in order to stabilize consumer prices as well as stabilizing farm income.

In 1985, the Republican Senate added a new term to that contract. Farmers were also paid to be stewards of the land. Again, no farmer was required to become a land steward—to be a good neighbor. Each farmer made that decision voluntarily.

Now, the Republican budget farm bill changes the terms of the farm contract. It no longer offers American farmers a "price and production stabilization" contract. Thus, for the \$35 billion the taxpayers give farmers over the next 7 years, consumers get no price stability benefit.

Do I mourn the loss of a farmer-taxpayer contract based on a price stabilization rationale?

No, I do not. At one time regulations that required farmers to manage supplies also helped stabilize some food prices. By and large, there is no longer much, if any, consumer benefit from the supply management aspects of farm programs. Today, supply management programs function only to control the budgetary costs of the program.

This history brings us back to the basic question. Should there be any Federal farm programs?

UNIQUE NATURAL RESOURCE CHALLENGES

The answer is yes. For one overriding reason. It is this. Only farmers can give the American people what they want from private lands.

Let me put it very simply. Americans cannot get the environmental benefits they want unless farmers and ranchers are active willing land stewards.

Before we reviewed a little history—now a little—or should I say—a lot of geography. Farms and grazing lands make up 50 percent of the continental United States.

Let me say that again—Farmers and ranchers own or manage 50 percent of the continental United States.

It is impossible to successfully regulate such a vast area—even if one wanted to—which I do not. To successfully protect and enhance natural resource values on private lands, farmers must be a willing part of the solution.

The 1985 and the 1990 farm bills show that the taxpayers are willing to pay farmers to protect drinking water, cleanup lakes and rivers, and to be stewards of the soil.

As the executive director of the National Rifle Association states, "Congress has had the foresight to create these unique mechanisms which wed agricultural goals with conservation goals." For example, no longer were farmers paid to destroy wetlands. Instead, farm programs began to protect wetlands.

Today, some farm groups favor destroying his harmony. They even go so far as to say that farm conservation should only be funded if there is any money left after farm subsidies and exports subsidies are paid for.

It does not make sense to the public. There is no reason a farmer should be richer than a machine shop owner, even though there is a rationale for farmers being protected from unexpected market shifts.

So this is the time for testing.

It comes down to this question—Is this Republican package the beginning of the end of farm programs, the last 7 years of "market transition payments," or is it a new beginning for farm programs—which builds on the stewardship contract that the American farmer made with the American people beginning in 1985.

In 1990, as chairman, I confirmed and deepened the land stewardship contract between farmers and the American public. One of my proudest moments as chairman was when I stood in the White House while the President praised the 1990 farm bill as "one of the most important environmental legislative accomplishments of his Presidency."

But the Republican budget package leaves the basic question unanswered. The Republican proposal says that it will continue to make "adherence to existing conservation compliance and wetland protection regulations" a condition of receiving farm payments. It also launches a new program, the "Livestock Environmental Assistance

Program" which provides the same kind of financial assistance to livestock farmers and ranchers that crop farmers have received. It is a great idea—of which I am the proud author. This press release seems to affirm and expand the stewardship contract of the 1985 and 1990 farm bills.

But, the Republican agricultural leaders have also called for dropping the wetlands protection contract term in the farmers contract with the American taxpayer.

So what is real?—the press release or their legislation?

The Republicans are not being straight with either the taxpayers or the farmers.

If the Republicans tear up the contract between the farmers and the American people—then the Freedom to Farm contract is a one way contract in which the taxpayers will pay \$35 billion to farmers for the next 7 years and the taxpayers will get nothing in return.

It will be just a welfare payment—for a group of Americans whose income is seven times higher than a typical family on food stamps.

CONCLUSION

Wallace Stevens once wrote: "After the final 'no' there comes a 'yes,' and on that 'yes' the future of the world depends * * *."

Saying no to failed policies of the past makes all the sense in the world. Saying yes to a stewardship contract between the American taxpayer and the American farmer is the only future on which the farmer and the taxpayer can depend.

CHANGE OF VOTE

Mr. REID. Mr. President, on rollcall No. 598 I voted yea. It was my intention to vote nay. Therefore, I ask unanimous consent I be permitted to change my vote. This will in no way change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIOUX FALLS, SD: ENTREPRENEURIAL HOT SPOT

Mr. PRESSLER. Mr. President, I want to take a moment today to commend the hardworking people of South Dakota for making Sioux Falls—South Dakota's largest metropolitan area—the sixth most successful entrepreneurial spot in the country. I am proud to say the pioneer spirit still thrives in South Dakota.

Mr. President, it is not Fortune 500 companies alone that form our country's economic base. Rather, the hard work and dedication of self-employed entrepreneurs and small business owners are responsible for much of our Nation's economic activity. The business of South Dakota is small business, from the family farm to the corner drug store. I am proud to represent such an ambitious and successful constituency—people who are willing to work hard in order to get ahead.

Some South Dakota small businesses have grown to become regional and national success stories. A prime example of entrepreneurial spirit in action is Gateway 2000, a mail order personal computer (PC) corporation started 10 years ago in a farmhouse. Because of South Dakota's excellent business climate and a solid work ethic, Gateway 2000 has become the tri-state metropolitan area's second largest employer and the largest mail-order PC vendor in the United States. Gateway 2000 is a testimonial to what can be achieved with a vision and a strong work ethic.

When I travel home to South Dakota, I always marvel at the continued development my home State has undergone. Entrepreneurial South Dakotans have helped South Dakota evolve into a diverse industrial breadbasket. Now, with the designation of Sioux Falls, SD, as an international port-of-entry, the success of South Dakota will extend to new markets around the world. I ask unanimous consent to have printed in the RECORD a recent article from the Sioux Falls Argus Leader which details South Dakota's economic boom. I am sure all who read it will be impressed with South Dakota's recent surge of economic development.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ENTREPRENEURIAL SPIRIT CITED IN CITY'S
HIGH RATING

(By Brenda Wade Schmidt)

Sioux Falls' ranking as the sixth best hot spot for entrepreneurs shows that programs to help business people get started are working, two economic development experts said Wednesday.

The city moved up 26 spots among small metropolitan areas over last year's ranking done by Cognetics Inc. of Cambridge, Mass.

Las Vegas, Nev., was in the top spot of the 134 areas for the second year in a row.

"It could be an indication that the entrepreneurial-type programs are starting to take effect a little bit," said Dan Scott, president of the Sioux Falls Development Foundation. "That spirit still exists here."

There are so many entrepreneurs that agencies aren't able to help them all, Scott said. Many people come with business ideas but lack the planning and finances to implement their dream.

The Small Business Development Center, with offices across the state, assists many businesses.

"We see the entrepreneurial spirit as being alive and well because of the number of people that come to us for assistance," said Bob Ashley, state director. "Starting a business is hard work. Hard work is not a stranger to the people of South Dakota."

Scott said the increase probably is the result of two improvements.

"The entrepreneurs are getting more help, and financing has become more readily available," he said. "What keeps most entrepreneurs out of business is the inability to attract financing."

Among rural areas, South Dakota ranked 61st out of 89 places, up five spots from last year.

TRIBUTE TO REV. RICHARD C.
HALVERSON

Mr. BIDEN. Mr. President, today the Senate is holding a memorial service

to remember Rev. Richard C. Halverson, our friend and our Chaplain from 1981 to March of this year, who passed away two weeks ago after a long illness. To each of us, whatever our individual religious beliefs, Reverend Halverson was someone special. To some of us, he was a confidant; to others, a counselor; and to still others, a pastor in the more traditional sense of the word. To each of us, he was a friend.

The Senate is, in many ways, a small community with many of the same dynamics inherent in small communities across our Nation. We work in close quarters and all know each other very well. Each of us have forged great friendships here, and each of us has seen great rivalries develop among colleagues. We are all public figures whose lives are all too often an open book. We come from widely different backgrounds, and each of us brings to the Senate a different set of values we hold dearly and ideals to which we are firmly and determinedly committed. And out of all of that, out of all the differing backgrounds and competing philosophies, out of the individual strengths and weaknesses, and out of the personal friendships and political rivalries, this community of one hundred men and women must produce public policy that ensures the well-being of more than two hundred and fifty million of our fellow Americans. That is an awesome responsibility.

As much as any of us, Reverend Halverson understood both the sense of community and the awesome responsibility of the Senate. Each morning, in his opening prayer, he would try to remind us that the sense of community, collegiality, and comity that has always been the trademark of this body is vitally important to carrying out the tasks that are demanded of us. He would remind us that the Senator on the other side of a heated debate is just as committed a public servant as we are. That no political party has a monopoly on compassion, or patriotism, or integrity. That the American Dream is neither conservative nor liberal. And that at the end of the day that sense of community, as Senators and as Americans, must prevail if we are to meet the responsibilities that have been entrusted to us.

Reverend Halverson understood that as Senators, our lives—official and often personal—are open to more scrutiny than most Americans would tolerate. He understood that not only our votes and our speeches, but our families and our lifestyles are often open to public review. As public officials we have accepted that. Nonetheless, Reverend Halverson understood that that scrutiny does take a human toll, reminding us that as we would like to be treated with understanding, so we must be understanding ourselves. And reminding us that for all of the public scrutiny of our lives and our conduct, for all of the public criticism that we sometimes receive for our votes and our political and philosophical beliefs,

for all of the questioning of our motives that we must sometimes endure, the work that we do is so important to so many people that we must persevere.

Reverend Halverson always understood that election to public office does not take away the pressures that face every other American man and woman; work-related stress, family concerns, health concerns, or the self-questioning that every individual faces from time to time throughout their lives. Similarly, he understood that election to public office does not bestow skills or talents that we did not possess before; nor does it eradicate any personal weaknesses we possessed before our election. But Reverend Halverson was always there to remind us that deep within each of us is the ability to meet every challenge that our careers and our lives present.

A few years ago, I was quite ill. I left here one February night with a headache and did not return until late in the summer. During those months, as he was during all of his 14 years here, Reverend Halverson was there for me. I have never forgotten that, and my family has never forgotten that.

Throughout his 14 years as the Senate Chaplain Rev. Richard C. Halverson was a committed public servant and a friend to each of us. We shall miss him.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, almost 4 years ago I commenced these daily reports to the Senate to make a matter of record the exact Federal debt as of close of business the previous day.

In that report (February 27, 1992) the federal debt stood at \$3,825,891,293,066.80, as of close of business the previous day. The point is, the federal debt has increased by \$1,162,547,561,447.99 since February 26, 1992.

As of the close of business Tuesday, December 12, the Federal debt stood at exactly \$4,988,438,854,514.79. On a per capita basis, every man, woman, and child in America owes \$18,936.20 as his or her share of the Federal debt.

THE PHOENIX PROPOSAL

Mr. DOLE. Mr. President, the Federal Communications Commission will soon rule on Sprint's partnership with Deutsche Telekom and France Telecom, or its more common name, the Phoenix Proposal. I ask unanimous consent that my letter to FCC Chairman Reed Hundt regarding this issue be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, December 12, 1995.

Hon. REED HUNDT,
Chairman, Federal Communications Commission,
Washington, DC.

DEAR MR. CHAIRMAN: I wrote you almost one year ago concerning the proposed Global

Partnership between Sprint Corporation, Deutsche Telekom and France Telecom. At that time, I asked that you rule fairly and promptly on this matter.

It is my understanding the Commission may consider a proposal that appears to have little to do with traditional foreign ownership concerns having to do with the acquisition of undue leverage over domestic companies. Specifically, the FCC would artificially "freeze" Sprint's communications capacity between the United States and Germany and France, while placing no such restrictions on any of its major competitors.

Given that the Justice Department has already signed off on the partnership, many believe there is no legitimate foreign investment concern. Even if excessive leverage could be obtained under this partnership, an arbitrary limitation on communications capacity would not alleviate it. In short, it appears the Commission will answer the wrong question with an equally wrong solution. If this were to occur, Sprint would be at a competitive disadvantage with other international competitors.

I look forward to your reply.

Sincerely,

BOB DOLE.

LIMITED PROVISIONS IN THE CONTINUING RESOLUTION

Mr. KENNEDY. Mr. President, one of the most serious defects of the current stopgap funding for the Federal Government is its treatment of LIHEAP, the Low-Income Home Energy Assistance Program, that helps needy families pay their winter fuel bills. Under that program, States receive most of their full-year LIHEAP allocation in the 2 months of October and November so that they can prepare for the winter, set benefit levels, and deal with emergencies.

It is bad enough that the current stopgap bill cuts these needed funds by 25 percent from last year—25 percent from last year. Even worse, it pays out those funds on a basis that is prorated on a full year, so that the States are receiving far less than the usual share in October and November. By this time last year, Massachusetts had received \$32 million of its \$54 million allocation. This year, however, Massachusetts has only been allowed to draw down \$9.5 million.

In fact, all States had received \$800 million of last year's \$1.3 billion LIHEAP appropriation by December of last year. Under the stopgap bill, there is a 71-percent cut, although the bill is only supposed to impose a 25 percent cut at most.

This chart demonstrates very clearly what the problem is. First of all, I think everyone across this country understands the extraordinary drops in the temperature in the most recent days. This is playing havoc in many families in Massachusetts, up in Boston, the North Shore, all over Massachusetts and the Berkshires and otherwise. By December 15 of 1994, some \$800 million had been distributed. By December 15, 1995, only \$230 million under the continuing resolution.

Mr. President, this has to be addressed in the continuing resolution.

Unless it is, there will be hundreds of Americans whose very health and risk of freezing will be very, very real. This was a nonintended result of the fact of these continuing resolutions, and it is an emergency. It cries out for action.

We hope that the House of Representatives will take action. Otherwise, I know, under the leadership of Senator WELLSTONE and others, an amendment will be offered to try and reach this emergency situation.

Massachusetts energy agencies have said that they will respond only to cases where a utility terminates services, or where homes have less than one-eighth of a tank of fuel oil. The State has cut annual LIHEAP benefits from \$430 to \$150 per household to ensure that they have enough funds for emergencies throughout the winter.

In Gloucester, the agencies have been faced with a choice of spending nonauthorized LIHEAP funds or letting some families freeze to death.

In Salem, the local government has dipped into its own scarce funds to provide needed assistance.

In Springfield, Patricia Nelligan, the fuel assistance director for the New England Farm Workers' Council, said that unless more LIHEAP funds are made available soon, their program will have to shut down by the end of next week.

It may not officially be winter yet, but winter has already arrived with a vengeance in many parts of the country. For the 6 million recipients of LIHEAP assistance across the Nation, it will be a desperate Christmas unless more aid is available.

Some 95 percent of the households receiving LIHEAP assistance have annual incomes below \$18,000. They spend an extremely burdensome 18 percent of their income on energy, compared to the average middle-class family, which spends only 4 percent.

Researchers at Boston City Hospital have documented the heat or eat effect, where higher utility bills during the coldest months force low-income families to spend less money on food. The result is increased malnutrition among children.

The study also found almost twice as many low-weight and undernourished children were admitted to Boston City Hospital's emergency room immediately following the coldest month of the winter. No family should have to choose between heating and eating.

But it is the poor elderly that will be at the greatest risk if more LIHEAP funds are not made available, because they are the most vulnerable to hypothermia. In fact, older Americans accounted for more than half of all hypothermia deaths in 1991.

In addition, the elderly are much more likely to live in homes built before 1940 which are less energy efficient and put them at greater risk.

Low-income elderly who have trouble paying their fuel bills are often driven to rely on room heaters, fireplaces, ovens, and wood-burning stoves to save

money. Between 1986 and 1990, such heating sources were the second leading cause of fire deaths among the elderly. In fact, elderly citizens were up to 12 times more likely to die in heating-related fires than adults under 65.

Over 50 Senators have signed a letter urging the budget negotiators to allow States to draw down LIHEAP funds at the up-front rate if a further stop-gap funding bill is enacted. I urge the Senate to support this provision, so that families can receive the urgent assistance they need.

Christmas is approaching, and in many parts of the country, temperatures have dropped to levels close to those at the North Pole. But Santa Claus does not release LIHEAP funds to the States—Congress does, and we must act quickly to avoid tragedy.

THE DEATH OF THE FORMER CHAPLAIN OF THE SENATE, THE REVEREND DR. RICHARD C. HALVERSON

Mrs. HUTCHISON. Mr. President, with sadness, tempered by gratitude, I rise today to mourn the passing of the late Chaplain of the Senate, the Rev. Richard C. Halverson. Recently he left this Chamber and this world, but the impression he left is all around us.

Mr. President, we all know that national politics is often wracked by deep disagreement. The task of steering history's most civilized Nation on a wise course through democratic means arouses strong passions. Only spiritual guidance and divine grace could steady this Chamber during the tempests of every age, and we are fortunate to debate in soft tones, and to determine great questions as a civilized community. For the last 14 years, America herself was blessed to have Dr. Halverson, the Senate's Christian humanist, to keep our civilization decent.

Whenever a member of our little civilization lost a loved one—or gained one—the Chaplain's office was a proven source of consolation and hope.

I took the oath here not too long ago, and I remember, among a flood of invitations, one from the good Chaplain asked to come to the weekly Senate prayer breakfast. There are many bipartisan meetings in the Capitol, but the calm communion of Catholics, Jews, and Protestants was tripartisan as well as profoundly contemplative. I treasure those Wednesday morning gatherings as occasions to make deep and abiding friendships with my colleagues.

Mr. President, John Stuart Mill wrote that "one person with a belief is a social power equal to ninety-nine who have only interests." Here in this Chamber, one Chaplain with unshakeable belief was a social power equal to all 100 of us, each with a host of interests and beliefs. He calmed our fears, he kept us together, and every morning he called us to prayer.

Now, as he taught us, I join my colleagues in praying for his soul.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting withdrawals and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF THE FARMINGTON WILD AND SCENIC RIVER STUDY—MESSAGE FROM THE PRESIDENT—PM 103

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Energy and Natural Resources.

To the Congress of the United States:

I take pleasure in transmitting the enclosed report for the Farmington River in the States of Massachusetts and Connecticut. The report and my recommendations are in response to the provisions of the Wild and Scenic Rivers Act, Public Law 90-542, as amended. The Farmington River Study was authorized by Public Law 99-590.

The study was conducted by the National Park Service, with invaluable assistance from a congressionally mandated study committee. The National Park Service determined that the 11-mile study segment in Massachusetts and the 14-mile study segment in Connecticut were eligible for designation based upon their free-flowing character and recreational, fish, wildlife and historic values.

The 14-mile Connecticut segment of the river has already been designated as a Wild and Scenic River pursuant to Public Law 103-313, August 26, 1994. The purpose of this transmittal is to inform the Congress that, although eligible for designation, I do not recommend that the Massachusetts segment be designated at this time due to lack of support by the towns adjoining it. If at some future date the towns should change their position and the river has retained its present characteristics, the Congress could reconsider the issue. Also, for 3 years from the date of this transmittal, the Massachusetts segment will remain subject to section 7(b) of the Wild and Scenic Rivers Act. Section 7(b) prohibits licensing of projects by the Federal Energy Regulatory Commission and Federal or federally assisted water resource development projects that would have a direct and adverse effect on the values for which the river might be designated. Finally, the report includes the Upper

Farmington River Management Plan that is referenced in Public Law 103-313 as the plan by which the designated river will be managed.

The plan demonstrated a true partnership effort of the type that we believe will be increasingly necessary if we are to have affordable protection of our environment in the future.

WILLIAM J. CLINTON.

THE WHITE HOUSE, December 13, 1995.

MESSAGES FROM THE HOUSE

At 1:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 632. An act to enhance fairness in compensating owners of patents used by the United States.

H.R. 1253. An act to rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.

H.R. 1295. An act to amend the Trademark Act of 1946 to make certain revisions relating to the protection of famous marks.

H.R. 1533. An act to amend title 18, United States Code, to increase the penalty for escaping from a Federal prison.

H.R. 1574. An act to amend the Federal Deposit Insurance Act to exclude certain bank products from the definition of a deposit.

H.R. 1747. An act to amend the Public Health Service Act to permanently extend and clarify malpractice coverage for health centers, and for other purposes.

H.R. 2196. An act to amend the Stevenson-Wydler Technology Innovation Act of 1980 with respect to inventions made under cooperative research and development agreements, and for other purposes.

H.R. 2243. An act to amend the Trinity River Basin Fish and Wildlife Management Act of 1984, to extend for three years the availability of moneys for the restoration of fish and wildlife in the Trinity River, and for other purposes.

H.R. 2289. A bill to amend title 38, United States Code, to extend permanently certain housing programs, to improve the veterans employment and training system, and to make clarifying and technical amendments to further clarify the employment and reemployment rights and responsibilities of members of the uniformed services, as well as those of the employer community, and for other purposes.

H.R. 2418. An act to improve the capability to analyze deoxyribonucleic acid.

H.R. 2538. An act to make clerical and technical amendments to title 18, United States Code, and other provisions of law relating to crime and criminal justice.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 117. Concurrent resolution concerning writer, political philosopher, human rights advocate, and Nobel Peace Prize nominee Wei Jingsheng.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 1240) to combat crime by enhancing the penalties for certain sexual crimes against children.

The message also announced that the House recedes from its amendments to

the amendments of the Senate to the bill (H.R. 1868) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes, and concurs therein with an amendment.

The message further announced that the Speaker appoints Mr. WISE as a conferee in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2539) to abolish the Interstate Commerce Commission, to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation, and for other purposes, vice Mr. LIPINSKI, resigned.

At 4:25 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 1253. An act to rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge, to the Committee on Environment and Public Works.

H.R. 1533. An act to amend title 18, United States Code, to increase the penalty for escaping from a Federal prison, to the Committee on the Judiciary.

H.R. 1574. An act to amend the Federal Deposit Insurance Act to exclude certain bank products from the definition of a deposit, to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2196. An act to amend the Stevenson-Wydler Technology Innovation Act of 1980 with respect to inventions made under cooperative research and development agreements, and for other purposes, to the Committee on Commerce, Science, and Transportation.

H.R. 2243. An act to amend the Trinity River Basin Fish and Wildlife Management Act of 1984, to extend for three years the availability of moneys for the restoration of fish and wildlife in the Trinity River, and for other purposes, to the Committee on Environment and Public Works.

H.R. 2289. A bill to amend title 38, United States Code, to extend permanently certain housing programs, to improve the veterans employment and training system, and to make clarifying and technical amendments to further clarify the employment and reemployment rights and responsibilities of members of the uniformed services, as well as those of the employer community, and for other purposes, to the Committee on Veterans' Affairs.

H.R. 2418. An act to improve the capability to analyze deoxyribonucleic acid; to the Committee on the Judiciary.

H.R. 2538. An act to make clerical and technical amendments to title 18, United States Code, and other provisions of law relating to crime and criminal justice; to the Committee on the Judiciary.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 117. Concurrent resolution concerning writer, political philosopher, human rights advocate, and Nobel Peace Prize nominee Wei Jingsheng, to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1681. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-1682. A communication from the Administrator of the Federal Highway Administration, the Department of Transportation, transmitting, pursuant to law, the report entitled, "Progress Made in Implementing Sections 6106 and 1038 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)"; to the Committee on Environment and Public Works.

EC-1683. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the annual report entitled, "The Superfund Innovative Technology Evaluation Program" for fiscal year 1994; to the Committee on Environment and Public Works.

EC-1684. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report on child support enforcement for fiscal year 1994; to the Committee on Finance.

EC-1685. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the first annual report summarizing the evaluation activities relative to the Comprehensive Community Mental Health Services with Serious Emotional Disturbances program; to the Committee on Labor and Human Resources.

EC-1686. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, a draft of proposed legislation to make technical revisions to existing immigration law and to promote the efficiency and effectiveness of consular and immigration services and operations; to the Committee on the Judiciary.

EC-1687. A communication from the Secretary of Education, transmitting, pursuant to law, the annual report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC-1688. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, proposed regulations governing corporation and labor organization activity, express advocacy and coordination with candidates; to the Committee on Rules and Administration.

EC-1689. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1690. A communication from the Attorney General, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1691. A communication from the Secretary of Commerce, transmitting, pursuant to law, the report under the Inspector Gen-

eral Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1692. A communication from the Secretary of Education, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1693. A communication from the Secretary of Energy, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1694. A communication from the Director of the Office of Management and Budget, the Executive Office of the President, transmitting, pursuant to law, a report on accounts containing unvouchered expenditures potentially subject to audit by the Comptroller General; to the Committee on Governmental Affairs.

EC-1695. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1696. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1697. A communication from the Chairman of the Board of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-480. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Commerce, Science, and Transportation.

"RESOLUTION

"Whereas the federal government is considering legislation that would repeal the existing authority of the Interstate Commerce Commission to regulate water carriers transporting property between the 48 contiguous states and Alaska; and

"Whereas Alaska is uniquely dependent on water transportation in that virtually everything that Alaskans eat, drink, wear, or use comes into the state by ship or barge; and

"Whereas the deep water transport market serving the Alaska Railbelt is a classic duopoly situation in that two water carriers provide the vital service of transporting at least 75 percent of all goods shipped for 80 percent of the state's residents; and

"Whereas, in a duopoly situation, the service providers have an obligation to their customers to operate with the highest degree of fairness and disclosure; and

"Whereas the freight system by which Alaskans receive vital cargo should treat all customers fairly by guaranteeing equal access to competitive rates; and

"Whereas the citizens of Alaska, recognizing that their interests may best be served by allowing market forces to determine the cost of bringing vital goods to the state so far as possible, continue to have concerns about the cost of shipping goods to Alaska; and

"Whereas the citizens of Alaska have also expressed their desire to preserve the essen-

tial elements of the current system of regulating water carriers serving Alaska; and

"Whereas, if the Interstate Commerce Commission is abolished and if there is no other forum for shipper complaints, the citizens of the state may have no place to present and resolve complaints about water carriers serving Alaska other than in court; and

"Whereas the federal government has historically had a role in water transportation to Alaska through the Interstate Commerce Commission; and

"Whereas the federal government is considering whether to transfer some functions of the Interstate Commerce Commission to the United States Department of Transportation; and

"Whereas the Interstate Commerce Commission has recommended that the regulation of all domestic offshore water carriage be handled by the Federal Maritime Commission, which may also be abolished; and

"Whereas regulatory functions of the Interstate Commerce Commission relating to domestic offshore water carriage could be performed by other existing federal entities if the Interstate Commerce Commission is abolished in order to save federal taxpayer money; and

"Whereas three primary interests of Alaskans if such abolishment occurs are to ensure that rates for carriage to Alaska are fair and competitive, to ensure that carriage service to Alaska is dependable, and to ensure that an accessible forum exists in which Alaskans can present and resolve complaints; be it

"Resolved, That the Alaska State Legislature respectfully requests that the Governor and members of the Alaska delegation in the United States Congress support the preservation of the essential regulatory functions of the Interstate Commerce Commission pertaining to domestic offshore water carriage that serve the best interests of Alaska's consumers while providing an acceptable rate of return to the carriers which serve the Alaska market by transferring such regulatory functions to the United States Department of Transportation, if and when necessary."

POM-481. A resolution adopted by the Commission of the City of Boynton, Florida relative to the Superfund Reform 95 principles; to the Committee on Environment and Public Works.

POM-482. A resolution adopted by the House of the Legislature of the State of Georgia; to the Committee on Finance.

"Whereas, the members of state legislatures are required to be away from their homes while performing the duties of their offices; and

"Whereas, members of state legislatures are reimbursed for their travel expenses and the other expenses incurred in performing their duties; and

"Whereas, under the provisions of 26 U.S.C., Section 162(h), state legislators are allowed to deduct such reasonable travel expenses for purposes of income taxation; and

"Whereas, the payment of such expenses is currently subject to withholding for purposes of the federal Social Security Act and for purposes of federal income taxation; and

"Whereas, it is only fitting and proper that such expenses should not be subjected to withholding for these purposes: Now, therefore, be it

Resolved by the House of Representatives, That this body urges the Congress of the United States to enact legislation which would exclude the travel expenses and per diem of state legislators from income for purposes of contributions required under the federal Social Security Act and from withholding for purposes of federal income taxation, BE IT FURTHER

"Resolved That the Clerk of the House of Representatives is authorized and directed to transmit appropriate copies of this resolution to the Congress of the United States and to each member of Congress from the State of Georgia."

REPORTS OF COMMITTEE

The following report of committee was submitted:

By Mr. HATFIELD, from the Committee on Appropriations:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1996" (Rept. No. 104-184).

EXECUTIVE REPORT OF COMMITTEES

The following executive report of committees was submitted:

By Mr. STEVENS, from the Committee on Governmental Affairs:

Donald S. Wasserman, of the District of Columbia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2000.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BREAUX (for himself and Mr. JOHNSTON):

S. 1472. A bill to provide for one additional Federal judge for the middle district of Louisiana and one less Federal judge for the eastern district of Louisiana; read the first time.

By Ms. SNOWE (for herself and Mr. MACK):

S. 1473. A bill to authorize the Administrator of General Services to permit the posting in space under the control of the Administrator of notices concerning missing children, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HATCH:

S. 1474. A bill to provide new authority for probation and pretrial services officers, and for other purposes; to the Committee on the Judiciary.

By Mr. STEVENS (for himself and Mr. MURKOWSKI):

S. 1475. A bill to provide an antitrust exemption for persons engaged in the fishing industry and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1476. A bill to establish the Boston Harbor Islands National Recreation Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. KASSEBAUM:

S. 1477. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. DOLE (for himself, Mr. McCAIN, Mr. DASCHLE, Mr. LIEBERMAN, Mr.

MOYNIHAN, Mrs. FEINSTEIN, and Mr. EXON):

S.J. Res. 44. A joint resolution concerning the deployment of U.S. Armed Forces in Bosnia-Herzegovina; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON (for herself, Mr. INHOFE, Mr. CRAIG, Mr. NICKLES, Mr. KYL, Mr. LOTT, Mr. BENNETT, Mr. BROWN, Mr. BURNS, Mr. CAMPBELL, Mr. COATS, Mr. D'AMATO, Mr. DOMENICI, Mr. FAIRCLOTH, Mr. FRIST, Mr. GRAMS, Mr. HATCH, Mr. HELMS, Mr. KEMPTHORNE, Mr. MURKOWSKI, Mr. PRESSLER, Mr. SANTORUM, Mr. SHELBY, Mr. SIMPSON, Mr. SMITH, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, and Mr. THURMOND):

S. Con. Res. 35. A concurrent resolution expressing the opposition of the Congress to President Clinton's planned deployment of United States ground forces to Bosnia; submitted and read.

By Mr. LEVIN:

S. Con. Res. 36. A concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 1060; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Mr. Mack):

S. 1473. A bill to authorize the Administrator of General Services to permit the posting in space under the control of the Administrator of notices concerning missing children, and for other purposes; to the Committee on Environment and Public Works.

MISSING CHILDREN LEGISLATION

• Ms. SNOWE. Mr. President, I introduce a small but important piece of legislation designed to assist parents in times of terrible crisis and need, times that every parent has nightmares about—when their children are missing.

Imagine the horror of discovering that your child is missing. Imagine the pain and emotion that overcomes a family at such a time. Imagine the strength and dedication that such families muster in order to do everything possible to locate that child. And imagine how this horror and devastation becomes compounded by senseless Government regulations which hinder their efforts to locate their children.

Consider the tragic experience of Claudine and Don Ryce, the parents of Jimmy Ryce, a 10-year-old Florida boy who disappeared on September 11 of this year. Jimmy disappeared somewhere in the three square blocks between his school bus stop and his home.

Tragically, Jimmy's body was found late last week. I extend my deepest sympathy, and my most sincere condolences, to his family.

I want Jimmy's parents to know that I heard about the frustration they en-

countered as they searched for their son. I want them to know that Congress will do something to rectify this. Today, I want to break down one barrier that they encountered in their vigilant efforts to locate their son.

Jimmy's parents tell the story of how simple tasks, such as posting notices in Federal buildings with Jimmy's picture on it, were frustrated by senseless Government regulation. They tell of how, with the assistance of the FBI, they would post these notices in one Federal agency building, only to have them removed by employees of another agency. Imagine how frustrating this must be to parents of missing children. How frustrating this must be, especially since photographs of missing children are the most effective tool we have for locating these children.

Unfortunately, far too many children are missing in this country. A 1990 study by the Department of Justice—the most recent study on this issue—found that in 1988 there were as many as:

114,600 attempted abductions of children by non-family members;

4,600 abductions by non-family members reported to the police;

300 abductions by non-family members where the children were gone for long periods of time or were murdered;

354,000 children abducted by family members;

450,700 children who ran away; and

438,200 children who were lost, injured or otherwise missing.

Moreover, the National Crime Information Center reports that approximately 60,000 children are missing at any given time.

The legislation that I introduce today is designed to help the parents of these missing children by eliminating one barrier that Jimmy's parents faced in their search for their son.

This legislation amends the Protection of Public Property Act, which empowers the General Services Administration [GSA] to set rules governing Federal property under its control. Currently, Federal regulations issued by the GSA prohibit the posting of materials on Federal property. My bill directs the GSA to make a very important exception to these rules, and requires the GSA to draft regulations allowing the posting of notices designed to locate missing children. It also ensures that Federal employees cannot needlessly remove these posters.

As Jimmy's father said, "There are things the Government can do, simple things, that would make it easier to publicize" that a child is missing. He also said that we need to "turn these agencies into our allies."

Well, Mr. Ryce, you are correct, and I believe that this legislation will do just that. •

By Mr. HATCH:

S. 1474. A bill to provide new authority for probation and pretrial services officers, and for other purposes.

PROBATION AND PRETRIAL SERVICES OFFICERS
LEGISLATION

Mr. HATCH. Mr. President, today I introduce a bill that would grant Federal probation and pretrial services officers authority to carry firearms, when approved by the appropriate district court, under rules prescribed by the Administrative Office of the U.S. Courts.

To add that new authority, the bill amends 18 U.S.C. 3603, which sets out the duties of probation officers, and 18 U.S.C. 3154, which establishes the functions of pretrial services officers. The change will permit those officers to carry firearms as they perform their important and frequently dangerous duties.

State law currently governs whether Federal probation and pretrial services officers may carry weapons; that law is inconsistent from State to State. Research by the Administrative Office of the U.S. Courts shows that only three States give specific authority to Federal probation and pretrial services officers to carry weapons. Forty-four States authorize Federal probation officers to carry firearms based either on statutory authority given to State probation officers or peace officers, or on State attorney general opinions. Although some of those States similarly authorize Federal pretrial services officers to carry firearms, at least 14 of them have neglected to extend that authority to those officers.

More important, certain States prohibit Federal probation and pretrial services from carrying weapons even where the officer has court approval to do so. Officers in those jurisdictions are left vulnerable to serious harm or death. A 1993 study undertaken by the Federal Probation and Pretrial Officers Association revealed that, in the Federal and local systems, 1,818 serious assaults and 792 attempted assaults against probation and pretrial services officers occurred between 1980 and 1992. The study acknowledges that those numbers probably understate the actual figures since some jurisdictions did not respond to the association's study.

In my view, the risks faced by Federal probation and pretrial services officers cannot be overemphasized. These officers risk their safety and their lives every day, often supervising violent offenders in situations that place them and others at risk of bodily harm. We should ensure that, wherever those officers are, they are authorized to carry a firearm.

Not only does this bill address problems faced by officers who work out of jurisdictions in which they are not permitted to carry a firearm, but it addresses difficulties faced by officers who must cross State lines in the performance of their duties. Under current law, even officers who are authorized under one State's laws to carry weapons may still run afoul of another State's laws when they cross State lines. Without a Federal statute authorizing officers to carry firearms,

they may be acting illegally when they cross State lines to perform their duties. Many Federal officers supervise offenders near a State border and must travel interstate to carry out their duties. An offender may have a nearby job in an adjacent State, for example, and the officer may need to travel to the job site to verify the offender's employment.

Problems may also arise for officers who live in one State and work in another. For instance, officers who live in Wisconsin and work in Minnesota are not allowed to obtain a gun permit from Minnesota. Similar situations arise in other States. Officers may be unable to obtain licenses from the State in which they reside even though they may work in a neighboring State that permits some of its residents to carry firearms.

These officers work in inherently dangerous environments. The Federal Probation and Pretrial Officers Association wrote to me on September 15, 1995:

Under enhanced supervision practices, we supervise in the field, in the most crime-infested areas of urban environments as well as in the most remote rural areas of urban environments as well as in the most remote rural areas. [I]f enacted, [the bill] would give all officers a significant measure of support and protection which they certainly deserve.

I wholeheartedly agree.

This bill will correct the current intolerable situation. The security of Federal probation and pretrial services officers should not be left to the vagaries of State law.

Of course, these Federal officers will be fully trained and closely supervised in their use of firearms. Under the bill, probation and pretrial services officers will be permitted to carry firearms only pursuant to regulations promulgated by the Director of the Administrative Office of the U.S. courts. The Administrative Office has informed me that these regulations would include extensive training and safety requirements, and that most of them are already in effect for those officers authorized to carry firearms.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1474

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NEW AUTHORITY FOR PROBATION AND PRETRIAL SERVICES OFFICERS.

(a) PROBATION OFFICERS.—Section 3603 of title 18, United States Code, is amended—

(1) by striking "and" at the end of paragraph (8)(B);

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following new paragraph:

"(9) if approved by the district court, be authorized to carry firearms under such rules and regulations as the Director of the Administrative Office of the United States Courts may prescribe; and".

(b) PRETRAIL SERVICES OFFICERS.—Section 3154 of title 18, United States Code, is amended—

(1) by redesignating paragraph (13) as paragraph (14); and

(2) by inserting after paragraph (12) the following new paragraph:

"(13) As approved by the district court, carry firearms under such rules and regulations as the Director of the Administrative Office of the United States Courts may prescribe.".

By Mr. STEVENS (for himself and Mr. MURKOWSKI):

S. 1475. A bill to provide an antitrust exemption for persons engaged in the fishing industry and for other purposes; to the Committee on the Judiciary.

THE FISHING INDUSTRY BARGAINING ACT

• Mr. STEVENS. Mr. President, today I am introducing the Fishing Industry Bargaining Act, a bill to provide antitrust immunity to fishermen and fish processors which would allow them to collectively agree on the prices paid to fishermen and on the minimum price fish processors will accept for the sale of processed fish products.

Senator MURKOWSKI joins me as a cosponsor of this legislation.

We are introducing the bill because the Alaska State Legislature enacted a State law to confer identical antitrust immunity on Alaska fishermen and processors.

The changes to Alaska law will only have effect if the changes we are proposing to Federal law are enacted.

Our bill would add a new section to the act approved on June 25, 1934, which authorizes producers of aquatic products to form associations, to allow fishermen and fish processors to collectively agree on prices.

The bill would prevent fish processors from agreeing on prices unless fishermen participated in the agreement and are party to the agreement.

This antitrust exemption would apply to fishermen and fish processors in all parts of the country, not just in Alaska.

We look forward to hearing from the Alaska fishing industry and from the fishing industry in other parts of the country about the legislation.

If there is support, we would hope to enact the bill sometime next year.

I ask for unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1475

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Fishing Industry Bargaining Act".

(b) AMENDMENT TO ACT OF 1934.—The Act approved June 25, 1934, authorizing associations of producers of aquatic products (15 U.S.C. 1521 et seq.) is amended by inserting after section 2 the following new section:

"SEC. 3. Persons engaged in the fishing industry as fishermen, including fishermen acting through associations allowed under section 1, may collectively agree with fish processors, including fish processors acting through associations of processors, on (1) the

price paid to the fishermen for aquatic products, and (2) the minimum price that fish processors will accept for the sale of processed aquatic products. Nothing in this section shall be construed to allow fish processors to agree among themselves on the price paid to fishermen or the minimum price that fish processors will accept for the sale of processed aquatic products if fishermen did not participate in the making of the agreement and are not a party to the agreement. •

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1476. A bill to establish the Boston Harbor Islands National Recreation Area, and for other purposes; to the Committee on Energy and Natural Resources.

BOSTON HARBOR ISLANDS NATIONAL
RECREATION AREA LEGISLATION

Mr. KERRY. Mr. President, today, I am pleased to join with Senator KENNEDY in introducing legislation to establish the Boston Harbor Islands National Recreation Area. Our bill is the companion legislation to H.R. 2763, introduced yesterday by Congressman GERRY STUDDS and PETER TORKILDSEN. I especially want to acknowledge the enormous leadership efforts of Congressman STUDDS in preparing this initiative and I look forward to working with him and others in the months ahead to enact this legislation.

Thirty-one islands sprinkled throughout Boston Harbor and the surrounding waterway would comprise the national recreational area. Our legislation is based upon a special resource study completed by the National Park Service in 1994 which found that the Boston Harbor Islands and surrounding area meet the Service's criteria for inclusion in the National Park System. However, trying to balance the need for fiscal restraint with the importance of protecting our national heritage, our bill is a much-scaled-down version of the one envisioned in the study. Our bill would fully utilize a unique partnership among the Federal, State, and local governments and the private sector and would require that at least 75 percent of the operational expenses for the park will come from non-Federal funding.

Boston has a rich and diverse history and has been and remains the economic and cultural center of New England. Today, Boston is nationally and internationally renowned in fields such as higher education, health care, technology, transportation, and trade. Beginning centuries ago, Boston Harbor has played a significant role in shaping the city's and the region's direction and growth, and the harbor area contains some of the oldest and most significant historic sites in the Nation, dating from precolonial times.

The islands themselves are rich in historical diversity, containing numerous military and maritime sites. In addition, there are important archaeological sites which chronicle the use and settlement of the harbor by native Americans from at least 9,000 years ago

through the 17th century. With its proximity to the city, the park would provide an excellent opportunity to thousands of people to enjoy its outstanding natural, historic, scenic, recreational, and educational values.

As a National Recreation Area, the Boston Harbor Island and surrounding area would enhance the National Park System by promoting this nationally significant history while providing leisure attractions to the public. The park is projected to attract to the area an additional 500,000 visitors annually, create 700 new jobs, and bring an additional \$200 million into the region's economy.

In 1970, the Commonwealth of Massachusetts began to acquire the islands of Boston Harbor for the benefit of the public. Since that time, a significant effort has been made to clean up the waters of Boston Bay to again make it attractive to boating, fishing, and other recreational and commercial activities. During the 1980's, the citizens of the Greater Boston area have undertaken what may prove to be the largest water infrastructure project in North America which is intended to guarantee that the Boston Bay's ecological health will be good for the foreseeable future.

The bill we are introducing would establish the Boston Harbor Islands partnership to coordinate the activities of Federal, State, and local authorities and the private sector in developing and implementing an integrated management plan for the islands. In addition, an advisory council would be established to provide representation for interested groups and organizations. This council would make recommendations to the partnership on issues including tourism, transportation, natural resources, cultural and historic resources, and fundraising.

Finally, our legislation would require a ratio of at least three non-Federal dollars for every Federal dollar spent on the park. Using limited Federal resources to leverage a significant local effort is a concept that merits support. By creating a national recreation area, we will preserve an important piece of our American heritage, give it the prominence and honor it richly deserves, accomplish all this with the Federal Government covering only a fraction of its cost, and facilitate the efforts of the Boston area to preserve its history and enhance recreational opportunities for its citizens and visitors.

I am sure Senator KENNEDY and I will be joined by the Massachusetts delegation and others as we work for passage of this important legislation. I am hopeful that the Congress will look favorably upon this initiative which would bring an important, historically significant addition to our National Park System without imposing great new financial burdens on it.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) Boston is the economic and cultural center of New England and a city of national and international significance;

(2) the Boston metropolitan region plays a leadership role in the areas of higher education, technology, health care, transportation, and national and international trade;

(3) Boston and the immediate region contain some of the oldest, most valuable, and most visited historic sites in the Nation, dating from precolonial times;

(4) factors such as open space, parks, recreational opportunities, and natural and cultural resource preservation will help determine the region's success and long-term economic and social viability into the 21st century;

(5) Boston Harbor has been a major factor in shaping Boston's growth, development, and sustained influence and significance in New England and the Nation;

(6) years of neglect and overuse of Boston Harbor resulted in a serious decline in its water quality, but a major cleanup effort is fostering the Harbor's renewal and revitalization, making the Harbor once again a focal point for the city and region;

(7) the Boston Harbor Islands support invaluable natural resources, rare in urban settings, that include fresh and salt water marshes, dunes, woodlands, ledges and cliffs, and habitat for wildlife and numerous bird species;

(8) Boston Harbor and its islands, containing many fortifications and other sites related to coastal defense, played an important role in United States military and maritime history from the colonial era to the Cold War;

(9) Boston Harbor and its islands contain important archaeological sites and underwater archaeological resources that chronicle the use and settlement of the Harbor by Native Americans from at least 9,000 years ago until the 17th century;

(10) the Boston Harbor Islands offer abundant opportunities for public education on the attempts of society to deal with urban problems and to protect the ecological health of the Harbor;

(11) the Boston Harbor Islands offer opportunities for recreation, education, and public use and enjoyment in a maritime setting that is in close proximity to a large urban population;

(12) the Boston Harbor Islands are located in a mixed use area, including an active commercial seaport and the region's busiest airport, the present and future operation of which are essential for the economic stability of the region;

(13) the Boston Harbor Islands possess outstanding natural, historical, scenic, recreational, and educational values, and there is a national interest in protecting and preserving those values for residents and visitors of the area; and

(14) a partnership among Federal, State, and local governments and nonprofit organizations offers the best opportunity for the enhancement and management of the Boston Harbor Islands.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve for public use and enjoyment the lands and waters that comprise the Boston Harbor Islands National Recreation Area;

(2) to manage the recreation area in partnership with the private sector, the Commonwealth of Massachusetts, municipalities surrounding Massachusetts Bay and Cape Cod Bay, the Thompson Island Outward Bound Education Center, and The Trustees of Reservations and with historical, business, cultural, civic, recreational, and tourism organizations; and

(3) to improve access to the Boston Harbor Islands through the use of public water transportation.

SEC. 2. DEFINITIONS.

In this Act:

(1) **ADVISORY COUNCIL.**—The term “advisory council” means the Boston Harbor Islands Advisory Council established under section 8.

(2) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the recreation area approved under section 7.

(3) **PARTNERSHIP.**—The term “Partnership” means the Boston Harbor Islands Partnership established by section 5.

(4) **RECREATION AREA.**—The term “recreation area” means the Boston Harbor Islands National Recreation Area established by section 3.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 3. BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA.

(a) **ESTABLISHMENT.**—In order to preserve for the benefit and inspiration of the people of the United States as a national recreation area certain lands located in Massachusetts Bay, there is established as a unit of the National Park System the Boston Harbor Islands National Recreation Area.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The recreation area shall—

(A) be comprised of the lands, waters, and submerged lands generally depicted on the map entitled “Proposed Boston Harbor Islands NRA”, numbered BOHA 80001, and dated August 1995; and

(B) include landside points required for access, visitor services, and administration—

(i) in the city of Boston along the Harborwalk and at Long Wharf, Castle Island, Fan Pier, the John F. Kennedy Library, and the Custom House;

(ii) at Charlestown Navy Yard;

(iii) at the old Northern Avenue Bridge;

(iv) in the city of Quincy at Squantum Point/Marina Bay, the Fore River Shipyard, and Town River;

(v) in the town of Hingham at Hewitt’s Cove;

(vi) in the town of Hull;

(vii) in the city of Salem at Salem National Historic Site; and

(viii) in the city of Lynn at Heritage State Park.

(2) **PUBLIC AVAILABILITY OF MAP.**—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) **MINOR REVISIONS.**—After advising the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate in writing, the Secretary may make minor revisions to the boundaries of the recreation area by publication of a revised drawing or other boundary description in the Federal Register.

SEC. 4. ADMINISTRATION OF RECREATION AREA.

(a) **IN GENERAL.**—The recreation area shall be administered by the Secretary in accordance with this Act.

(b) **FEDERAL LAND.**—The land in the recreation area that is owned by the United States, acting through the Secretary, shall be administered in accordance with the law generally applicable to units of the National

Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535, chapter 408; 16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(c) **STATE AND LOCAL JURISDICTION.**—Nothing in this Act diminishes, enlarges, or modifies any right of the Commonwealth of Massachusetts or any political subdivision of the Commonwealth to exercise civil and criminal jurisdiction or to carry out State laws in the recreation area, including laws relating to fish and wildlife and laws relating to the taxation of persons or property in the recreation area.

(d) **COOPERATIVE AGREEMENTS.**—The Secretary may consult and enter into cooperative agreements with such persons or entities as the Secretary determines to be appropriate for the preservation, interpretation, management, and provision of educational and recreational uses for the properties in the recreation area.

(e) **ACQUISITION OF REAL AND PERSONAL PROPERTY AND SERVICES.**—

(1) **IN GENERAL.**—The Secretary may acquire for purposes of the recreation area, by donation, exchange, or lease or purchase with donated or appropriated funds, personal property and lands and improvements in the recreation area.

(2) **LIMITATION.**—The Secretary may not acquire an interest in real property in the recreation area without the consent of the owner.

(f) **OTHER PROPERTY, FUNDS, AND SERVICES.**—The Secretary may accept and use donated funds, property, and services to carry out this Act.

(g) **RELATIONSHIP OF RECREATION AREA TO BOSTON-LOGAN INTERNATIONAL AIRPORT.**—With respect to the recreation area, the maintenance, operation, improvement, and use of Logan International Airport and associated flight patterns from time to time in effect shall not be considered to constitute the use of publicly owned land of a public park, recreation area, or other resource within the meaning of section 303(c) of title 49, United States Code, or to have a significant effect on natural, scenic, and recreation assets within the meaning of section 47101(h)(2) of title 49, United States Code.

SEC. 5. BOSTON HARBOR ISLANDS PARTNERSHIP.

(a) **ESTABLISHMENT.**—There is established in the executive branch the Boston Harbor Islands Partnership, the purpose of which shall be to coordinate the activities of Federal, State, and local authorities and the private sector in the development and implementation of an integrated resource management plan for the recreation area.

(b) **MEMBERSHIP.**—The Partnership shall be composed of 13 members, including—

(1) 1 individual appointed by the Secretary to represent the National Park Service;

(2) 1 individual appointed by the Secretary of Transportation to represent the United States Coast Guard;

(3) 2 individuals appointed by the Secretary, after consideration of recommendations by the Governor of Massachusetts, to represent the Department of Environmental Management and the Metropolitan District Commission;

(4) 1 individual appointed by the Secretary, after consideration of recommendations by the chairperson of the Massachusetts Port Authority, to represent the Massachusetts Port Authority;

(5) 1 individual appointed by the Secretary, after consideration of recommendations by the chairperson of the Massachusetts Water Resources Authority, to represent the Massachusetts Water Resources Authority;

(6) 1 individual appointed by the Secretary, after consideration of recommendations by

the mayor of Boston, to represent the Office of Environmental Services of the city of Boston;

(7) 1 individual appointed by the Secretary, after consideration of recommendations by the chairperson of the Boston Redevelopment Authority, to represent the Boston Redevelopment Authority;

(8) 1 individual appointed by the Secretary, after consideration of recommendations by the president of the Thompson Island Outward Bound Education Center, to represent the Center Thompson Island Outward Bound Education;

(9) 1 individual appointed by the Secretary, after consideration of recommendations by the chairperson of The Trustees of Reservations, to represent The Trustees of Reservations;

(10) 1 individual appointed by the Secretary, after consideration of recommendations of the president of the Island Alliance, to represent the Island Alliance, a nonprofit organization the sole purpose of which is to provide financial support for the recreation area; and

(11) 2 individuals appointed by the Secretary to represent the advisory council.

(c) **TERMS OF OFFICE; REAPPOINTMENT.**—

(1) **IN GENERAL.**—Each member of the Partnership shall appointed for a term of 3 years.

(2) **REAPPOINTMENT.**—Any member may be reappointed for 1 additional 3-year term.

(3) **INITIAL MEMBERS.**—The Secretary shall appoint the first members of the Partnership not later than 30 days after the date on which the Secretary has received all of the recommendations for appointment under paragraphs (3) through (10) of subsection (b).

(4) **EXTENDED SERVICE.**—A member of the Partnership may serve after the expiration of the member’s term until a successor has been appointed.

(d) **COMPENSATION.**—A member of the Partnership shall serve without pay, but while away from the member’s home or regular place of business in the performance of services for the Partnership, a member shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as a person employed intermittently in the Government service is allowed expenses under section 5703 of title 5, United States Code.

(e) **ELECTION OF OFFICERS.**—

(1) **IN GENERAL.**—The Partnership shall elect 1 of its members as Chairperson and 1 as Vice Chairperson.

(2) **TERMS.**—The term of office of the Chairperson and Vice Chairperson shall each be 1 year.

(3) **ABSENCE OF CHAIRPERSON.**—The Vice Chairperson shall serve as chairperson in the absence of the Chairperson.

(f) **VACANCY.**—A vacancy in the Partnership shall be filled in the same manner in which the original appointment was made.

(g) **MEETINGS.**—The Partnership shall meet at the call of the Chairperson or a majority of its members.

(h) **QUORUM.**—A majority of the Partnership shall constitute a quorum.

(i) **STAFFING.**—

(1) **PROVISION BY THE SECRETARY.**—The Secretary shall provide the Partnership with such staff and technical assistance as the Secretary, after consultation with the Partnership, considers appropriate to enable the Partnership to carry out its duties.

(2) **PERSONNEL ON DETAIL.**—To assist the Partnership, the Secretary may accept the services of personnel detailed from the Commonwealth of Massachusetts, a political subdivision of the Commonwealth, or an entity represented in the Partnership.

(j) **NATURE OF PARTNERSHIP.**—The members of the Partnership and the entities represented in the Partnership shall not be treated as partners in a legal sense.

SEC. 6. POWERS OF THE PARTNERSHIP.

(a) **HEARINGS.**—The Partnership may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Partnership considers appropriate.

(b) **DONATIONS.**—Notwithstanding any other provision of law, the Partnership may seek and accept donations of funds, property, or services from individuals, foundations, corporations, and other private and public entities for the purpose of carrying out this Act.

(c) **USE OF FUNDS TO OBTAIN MONEY.**—The Partnership may use its funds to obtain money from any source under any program or law requiring the recipient of the money to make a contribution in order to receive the money.

(d) **MAILS.**—The Partnership may use the United States mails in the same manner and on the same conditions as other departments and agencies of the United States.

(e) **ACQUISITION OF PROPERTY.**—The Partnership may acquire by purchase, rental, donation, or otherwise, such property, facilities, and services as may be needed to carry out its duties, except that the Partnership may not acquire any real property or interest in real property.

(f) **COOPERATIVE AGREEMENTS.**—For purposes of carrying out the management plan, the Partnership may enter into cooperative agreements with the Commonwealth of Massachusetts, a political subdivision of the Commonwealth, or a private person or organization.

SEC. 7. INTEGRATED RESOURCE MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Partnership shall develop and submit to the Secretary a management plan for the recreation area to be implemented by the Partnership.

(b) **CONTENTS.**—The management plan shall include—

(1) a program providing for coordinated administration of the recreation area with proposed assignment of responsibilities to the appropriate governmental unit at the Federal, State, and local levels, and nonprofit organizations, including—

(A) a program to finance and support the public improvements and services recommended in the plan, including allocation of the non-Federal matching requirement in accordance with section 9 and a delineation of private sector roles and responsibilities; and

(B) a program for the coordination and consolidation, to the extent feasible, of activities that may be carried out by Federal, State, and local agencies having jurisdiction over lands and waters in the recreation area, including planning and regulatory responsibilities;

(2) policies and programs for—

(A) enhancing public outdoor recreational opportunities in the recreation area;

(B) conserving, protecting, and maintaining the scenic, historical, cultural, natural, and scientific values of the recreation area;

(C) developing educational opportunities in the recreation area;

(D) enhancing public access to the Boston Harbor Islands, including development of transportation networks; and

(E) identifying potential sources of revenue from programs or activities carried out within the recreation area; and

(3) a policy statement that recognizes economic activities in the recreation area being conducted on the date of enactment of this Act.

(c) **DEVELOPMENT.**—In developing the management plan, the Partnership shall—

(1) consult on a regular basis with appropriate officials of any local government or

Federal or State agency that has jurisdiction over lands and waters in the recreation area;

(2) consult with interested conservation, business, professional, and citizen organizations; and

(3) conduct public hearings or meetings for the purposes of providing interested persons with the opportunity to testify with respect to matters to be addressed by the management plan.

(d) **APPROVAL.**—

(1) **SUBMISSION TO GOVERNOR.**—The Partnership shall submit the management plan to the Governor of Massachusetts for review.

(2) **CONSIDERATION BY GOVERNOR.**—The Governor shall have 90 days in which to review and make recommendations regarding the management plan.

(3) **SUBMISSION TO THE SECRETARY.**—After considering the Governor's recommendations, the Partnership shall submit the management plan to the Secretary, who shall approve or disapprove the plan not later than 90 days after submission.

(4) **CONSIDERATIONS.**—In reviewing the management plan, the Secretary shall consider—

(A) the adequacy of public participation;

(B) assurances of plan implementation from State and local officials; and

(C) the adequacy of regulatory and financial tools that are in place to implement the plan.

(5) **DISAPPROVAL.**—

(A) **NOTICE.**—If the Secretary disapproves the management plan, the Secretary shall notify the Partnership in writing of the reasons for the disapproval and make recommendations for revision.

(B) **RESUBMISSION.**—Not later than 90 days after receipt of a notice of disapproval, the Partnership shall revise and resubmit the management plan to the Secretary, who shall approve or disapprove the revised management plan within 60 days after submission.

(e) **INTERIM PROGRAM.**—Prior to approval of the management plan, the Secretary and the Partnership shall assist the owners and managers of lands and waters in the recreation area to ensure that existing programs, services, and activities that promote the purposes of this Act are supported.

SEC. 8. BOSTON HARBOR ISLANDS ADVISORY COUNCIL.

(a) **ESTABLISHMENT.**—The Secretary, acting through the Director of the National Park Service, shall establish an advisory committee to be known as the "Boston Harbor Islands Advisory Council".

(b) **PURPOSES.**—The purposes of the advisory council shall be—

(1) to represent various groups with interests in the recreation area; and

(2) to make recommendations to the Partnership on issues related to the development and implementation of the management plan.

(c) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The advisory council shall consist of not fewer than 15 individuals, to be appointed by the Secretary, acting through the Director of the National Park Service.

(2) **REPRESENTATION.**—The Secretary shall appoint no fewer than 3 individuals to represent each of the following categories of entities:

(A) Municipalities.

(B) Educational and cultural institutions.

(C) Environmental organizations.

(D) Business and commercial entities, including those related to transportation, tourism, and the maritime industry.

(E) Boston Harbor-related advocacy organizations.

(d) **COMMITTEES.**—

(1) **IN GENERAL.**—The advisory council shall be encouraged to establish committees relat-

ing to specific recreation area management issues, including education, tourism, transportation, natural resources, cultural and historical resources, and revenue raising.

(2) **PARTICIPATION.**—Participation on a committee under paragraph (1) shall not be limited to members of the advisory council.

(e) **MEETINGS.**—Meetings of the advisory council and committees established by the advisory council shall be open to the public.

(f) **FACA.**—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory council.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated such sums as are necessary to carry out this Act.

(b) **MATCHING REQUIREMENT.**—

(1) **IN GENERAL.**—Amounts appropriated to carry out this Act for any fiscal year may be expended only on a matching basis in a ratio of at least 3 non-Federal dollars to each Federal dollar.

(2) **FORM.**—The non-Federal share of the match may be in the form of cash, services, or in-kind contributions, fairly valued.

Mr. KENNEDY. Mr. President, it is a privilege to join Senator KERRY today in sponsoring a bill to establish the Boston Harbor Islands National Recreation Area in Massachusetts. This legislation is part of a bipartisan effort with Congressmen GERRY STUDDS and PETER TORKILDSEN, who introduced an identical bill yesterday in the House of Representatives.

The legislation follows a comprehensive study by the National Park Service, authorized in 1992 and completed last year. That study reached the strong conclusion on the 31 islands clustered in Boston Harbor that "[t]heir proximity to a large urban population and their special geological, prehistoric, historic, and natural features qualify them collectively as an outstanding example of a nationally significant recreation area. Their configuration, their assemblage of significant natural and cultural features, and their proximity to a major metropolitan area create a resource that has no parallel in the United States."

The islands are just a short boat trip from downtown Boston. They offer abundant opportunities for visitors to enjoy surroundings of exceptional natural beauty. With rocky shores, sand beaches, and tidal pools full of marine life from horseshoe crabs to starfish and seals, visitors enjoy swimming, fishing, clam-digging, berry-picking, bird and whale watching, boating, camping and hiking on well-maintained trails. History lovers can explore national historic landmarks, such as the Revolutionary War-era fort that later housed Confederate prisoners in the Civil War, and the Nation's first lighthouse—the only lighthouse still operated by lighthouse keepers in the old tradition. They can hunt for pirate relics, and dig further back in time for archaeological artifacts from 10,000 years ago and rare geological formations dating to the glacial age. All of the islands offer spectacular views of the modern Boston skyline and the Atlantic Ocean.

But these assets have gone largely unnoticed until recently. The Park

Service study has helped catalyze a growing recognition that the Harbor Islands deserve protection, as a unique resource that can greatly expand recreational opportunities for families in the Boston area and for visitors from across the country. Already, more than 25 million tourists visit Massachusetts each year, with 10 million visiting the Boston area annually. Fulfilling the potential of the Harbor Islands will strengthen tourism and significantly benefit the local economy, as well as enhance the experience of visitors to the area.

As recommended by the Park Service study, to fulfill that potential, we must improve public access to the islands and adopt a coordinated approach to their management. This legislation calls on the National Park Service to work closely with State and local governments and nonprofit organizations to preserve the natural and cultural resources of the islands and make them more accessible to the public through the use of a public water transportation system. The bill establishes a partnership among the various levels of government, and requires a commitment of non-Federal funds on at least a three-to-one matching basis with Federal funds. It does not involve any substantial purchase of land by the Federal Government; instead, it authorizes the Park Service to develop cooperative agreements with the State, local and private owners of the islands to ensure their protection and expanded public use.

The Boston Harbor Islands will be an exceptional addition to the National Park System. Their natural beauty and historical significance eminently merit this protection and preservation. The partnership approach will keep Federal costs to a minimum and assure the success of this effort for generations to come. I urge my colleagues to support this important legislation.

By Mrs. KASSEBAUM:

S. 1477. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes; to the Committee on Labor and Human Resources.

THE FOOD AND DRUG ADMINISTRATION PERFORMANCE AND ACCOUNTABILITY ACT OF 1995

• Mrs. KASSEBAUM. Mr. President, I introduce the Food and Drug Administration Performance and Accountability Act of 1995. This comprehensive reform bill is designed to ensure that Americans continue to enjoy and our Nation continues to lead the world in the development of new, life-saving and life-enhancing pharmaceuticals and medical devices and wholesome, abundant, and affordable foods by reforming the role of the Food and Drug Administration in the testing and review of new products.

Over the years, the FDA's requirements for clinical testing and its premarket reviews of new products have

grown increasingly complex, time-consuming, and expensive. From the 1960's to the 1990's, for example, the time required to complete clinical trials for new drugs has grown from 2½ years to nearly 6 years. From the beginning of the process to the end, it takes an average of 12 years and costs \$359 million to bring a new drug to market. By law, the FDA is required to review and act on applications to market new drugs and devices within 180 days. Today, however, it takes the agency on average 649 days to complete its review of new devices and 570 days to complete its review of most new drugs.

These increasing FDA demands on new product development and delays in new product reviews are reducing incentives for research and development, encouraging American companies to locate abroad, delaying Americans' access to new pharmaceuticals and medical devices, and costing American jobs.

The legislation I am introducing today is designed to correct these problems. First, the bill makes clear that a prime mission of the FDA is facilitating the rapid and efficient development and availability of safe and effective products that will benefit the public. It puts the agency on notice that Congress and the American people expect it to allocate its time, energy, and resources accordingly.

Second, the bill puts teeth into statutory deadlines for agency action. The FDA commissioner is required, in consultation with patient advocacy groups and the regulated industries, to establish and meet yearly performance standards that will bring the agency into compliance and keep it in compliance with statutory deadlines for action on premarket approval applications. The commissioner will be required to report yearly on the agency's performance and, if the agency is out of compliance, to contract with outside experts for product reviews.

Third, to ensure that desperately ill and suffering patients have access to promising new therapies, the bill will expand access to investigational new pharmaceuticals and medical devices. To ensure that physicians are as fully informed as possible about these new therapies and about new uses for already approved therapies, the bill will ease the agency's current severe restrictions on the dissemination of information about them.

Fourth, the bill establishes a collaborative clinical testing and review process. It requires the agency to meet with companies in the early stage of the clinical testing to establish the parameters for testing and avoid last-minute changes in protocol designs once testing is underway. Once testing has been completed and the agency receives an application for product approval, the agency would again be required to meet with companies to better ensure the smooth and timely review of the application.

Fifth, the bill provides the agency with the statutory flexibility it needs

to make changes in its clinical testing policies and product review procedures. For example, it modifies current law, which appears now to require two or more clinical studies, to permit the agency to base its approval on one well-designed clinical study when appropriate. As further examples, the bill updates outmoded statutory requirements for the regulation of biological products, reduces the number of medical devices that the agency is required to review, and makes it easier for the agency to use national and internationally recognized performance standards in evaluating the safety and effectiveness of devices.

In these and in a number of other ways, the FDA Performance and Accountability Act of 1995 will transform the FDA from a growing barrier to innovation into an active partner in innovation. •

ADDITIONAL COSPONSORS

S. 581

At the request of Mr. FAIRCLOTH, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 581, a bill to amend the National Labor Relations Act and the Railway Labor Act to repeal those provisions of Federal law that require employees to pay union dues or fees as a condition of employment, and for other purposes.

S. 981

At the request of Mr. EXON, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 981, a bill entitled "Truck Safety and Congressional Partnership Act".

S. 1030

At the request of Mr. REID, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1030, a bill entitled the "Federal Prohibition of Female Genital Mutilation Act of 1995."

S. 1212

At the request of Mr. COATS, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 1212, a bill to provide for the establishment of demonstration projects designed to determine the social, civic, psychological, and economic effects of providing to individuals and families with limited means an opportunity to accumulate assets, and to determine the extent to which an asset-based welfare policy may be used to enable individuals and families with low income to achieve economic self-sufficiency.

S. 1392

At the request of Mr. BAUCUS, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 1392, a bill to impose temporarily a 25 percent duty on imports of certain Canadian wood and lumber products, to require the administering authority to initiate an investigation under title VII of the Tariff Act of 1930 with respect to such products, and for other purposes.

S. 1419

At the request of Mrs. KASSEBAUM, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1419, a bill to impose sanctions against Nigeria.

S. 1470

At the request of Mr. MCCAIN, the names of the Senator from Delaware [Mr. BIDEN] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of S. 1470, a bill to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the Social Security earnings limit for individuals who have attained retirement age, and for other purposes.

SENATE JOINT RESOLUTION 43

At the request of Mr. SANTORUM, his name was added as a cosponsor of Senate Joint Resolution 43, a joint resolution expressing the sense of Congress regarding Wei Jingsheng; Gedhun Choekyi Nyima, the next Panchen Lama of Tibet; and the human rights practices of the Government of the People's Republic of China.

SENATE CONCURRENT RESOLUTION 35—RELATIVE TO BOSNIA

Mrs. HUTCHISON (for herself, Mr. INHOFE, Mr. CRAIG, Mr. NICKLES, Mr. KYL, Mr. LOTT, Mr. BENNETT, Mr. BROWN, Mr. BURNS, Mr. CAMPBELL, Mr. COATS, Mr. D'AMATO, Mr. DOMENICI, Mr. FAIRCLOTH, Mr. FRIST, Mr. GRAMS, Mr. HATCH, Mr. HELMS, Mr. KEMPTHORNE, Mr. MURKOWSKI, Mr. PRESSLER, Mr. SANTORUM, Mr. SHELBY, Mr. SIMPSON, Mr. SMITH, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, and Mr. THURMOND) submitted the following concurrent resolution; which was considered and not agreed to:

S. CON. RES. 35

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. EXPRESSING OPPOSITION TO THE DEPLOYMENT DECISION.

The Congress opposes President Clinton's decision to deploy United States military ground forces into the Republic of Bosnia and Herzegovina to implement the General Framework Agreement for Peace in Bosnia and Herzegovina and its associated annexes.

SEC. 2 EXPRESSING SUPPORT FOR UNITED STATES MILITARY PERSONNEL WHO ARE DEPLOYED.

The Congress strongly supports the United States military personnel who may be ordered by the President to implement the General Framework Agreement for Peace in Bosnia and Herzegovina and its associated annexes.

SEC. 3. TRANSMITTAL OF RESOLUTION.

The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President.

SENATE CONCURRENT RESOLUTION 36—DIRECTING THE SECRETARY OF THE SENATE

Mr. LEVIN submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 36

Resolved by the Senate (the House of Representatives concurring), That in the enroll-

ment of the bill S. 1060, to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 6(8), strike "6" and insert "7".

(2) In section 9(7), insert "and" after the semicolon, in section 9(8), strike "; and" and insert a period, and strike paragraph (9) of section 9.

(3) In section 12(c), strike "7" and insert "6".

(4) In section 15(a)(2), strike "8" and insert "7".

(5) In section 15(b)(1), strike ", 5(a)(2)," and in section 15(b)(2), strike "8" and insert "7".

(6) In section 24(b), strike "13, 14, 15, and 16" and insert "9, 10, 11, and 12".

(7) In section 12(b)(1), strike "7" and insert in lieu thereof "6".

AMENDMENTS SUBMITTED

TECHNICAL CORRECTIONS
CONCURRENT RESOLUTIONSIMPSON (AND CRAIG)
AMENDMENT NO. 3098

Mr. BROWN (for Mr. SIMPSON, for himself and Mr. CRAIG) proposed an amendment to the concurrent resolution (H. Con. Res. 116) directing the Secretary of the Senate to make technical corrections in the enrollment of S. 1060; as follows:

On page 2, after line 10 insert the following: (7) In section 18, strike "contract, loan, or any other form" and insert "or loan".

(8) In section 12(b)(1), strike "7" and insert "6".

THE AU PAIR PROGRAMS
EXTENSION ACTHELMS (AND DODD) AMENDMENT
NO. 3099

Mr. BROWN (for Mr. HELMS, for himself and Mr. DODD) proposed an amendment to the bill (S. 1465) to extend au pair programs; as follows:

On line 9 strike "1999" and replace with "1997".

On line 10, strike "1998" and replace with "1996".

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Wednesday, December 13, 1995, at 10 a.m. in open session, to consider the nomination of Mr. H. Martin Lancaster for appointment as Assistant Secretary of the Army for Civil Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS

Mr. HATCH. Mr. President, I ask unanimous consent that the full Committee on Environment and Public

Works be granted permission to conduct a hearing Wednesday, December 13, at 9:30 a.m., Hearing Room (SD-406), with respect to the reauthorization of the Clean Water Act on municipal issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, December 13, 1995 at 2 p.m. to hold a closed hearing regarding intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND
MANAGEMENT

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, December 13, 1995, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:30 p.m. The purpose of this hearing is to consider S. 901, the Water Recycling Projects; S. 1013, the Garrison Diversion Unit Project; S. 1154, the Fort Peck Rural County Water Supply System Act of 1995; S. 1169, the McCall Area Wastewater Reclamation and Reuse Project, and S. 1186, the Flathead Irrigation and Power Project.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

ILLICIT DRUGS

• Mr. D'AMATO. Mr. President, I rise today to discuss a vital, bicameral effort to combat drugs in this country. The Task Force on National Drug Policy, of which I am a proud member, was announced today to work to solve a serious problem: narcotics.

Despite efforts by Congress to curtail the flow of drugs into this country and its use by Americans, it seems as though the results have been lost with this administration. The intent of this task force is to focus the White House on a problem that is far from being resolved, and where much attention needs to be paid.

This is particularly important in light of recent studies that have indicated a growing trend in illicit drug use among teenagers. Studies indicate that, despite a decline in drug use among teens during the 1980's, drug use has risen sharply in the past few years. Cocaine use by high school students increased 36 percent since 1991-92, which was the period of lowest use. Marijuana use increased as well. Between the 1990-92 school year and 1994, marijuana use among junior high school students rose 111 percent and rose 67 percent in high schools. Now, one in three high

school students admit to smoking marijuana.

Even without being armed with these statistics, Americans see the rise of drug use in their communities. It is on their streets and in their schools. Understandably, citizens view narcotics as one of the most pressing problems facing our country. According to a Gallup poll released yesterday, 94 percent of Americans see drug use as a serious problem or a crisis.

These recent reports are a wake-up call to the administration to take action. It has served as the impetus for this Task Force on National Drug Policy to set a framework for policy and establish strategic plans to combat the drug epidemic. This, in turn, should move the White House to realize that this is a pressing issue that they can no longer neglect. Action must be taken now. Our children cannot afford to wait any longer.

Efforts must be stepped up to get at the drug suppliers, especially the drug kingpins. They are profiting while the rest of us suffer. There presence is being tolerated and should not be tolerated anymore.

In order to control the proliferation of illegal narcotics, law enforcement efforts must play a leading role in the Federal strategy. Law enforcement agencies, experts in this field, have been able to develop innovative techniques to respond to the spread of drugs in our communities. They are on the frontlines of this war against drugs and have the knowledge to fight its recent rise.

The members of this task force have the ability to establish policy and to take the initiative through legislative action. An example of this could be the implementation of a system such as the Automated Fingerprint Identification System [AFIS]. Using this biometric system, drug smugglers will not be able to repeatedly enter this country using fictitious identification with anonymity and impunity. Recidivistic drug felons could be immediately identified, detained, and prosecuted or deported before their heinous acts impact upon our children, families, and communities. This is at least one way to reduce the flow of drugs over our borders.

Another way to deter drug dealers is to raise sentencing guidelines and enact mandatory minimums to guarantee longer sentences. These will also act as a deterrent to potential offenders. We should be attacking their trade, not ignoring their presence.

It is evident that the illegal drug trade has profited with the focus shifted away from their activities. But this task force will change that. With the emphasis placed back on narcotics and the harm it spreads, this task force may be able to concentrate efforts to rekindle the decline of drug use that was noted prior to this administration.

I would also like to take this opportunity to commend my colleagues for their leadership and initiative in the

effort to control illicit drugs in the United States.●

TO HELP THOSE LIVING ON THE EDGE

● Mr. SIMON. Mr. President, one of the most dynamic people I have had a chance to meet in my years in public life is a Roman Catholic priest by the name of Father George Clements.

He has stirred controversy from time to time by his championing of causes that sometimes are unpopular but always, in my opinion, reflect favorably on his faith and his humanitarianism.

Recently Parade magazine had a story concerning his program of "One Church-One Addict" which I ask to be printed in full in the RECORD.

What a great thing for this Nation it would be if every church in the Nation were to follow this simple admonition.

Many churches would find that they have been unable to help people, a least not immediately. But many others would find they have been the difference in keeping people from going over the edge.

The article follows:

TO HELP THOSE LIVING ON THE EDGE
(By Marie Ragghianti)

The only major institution not dealing with substance abuse is the church," the Rev. George Clements told me. "Look at our prisons and universities—they're fighting drugs. We can do no less."

For many years, Father Clements has been inspiring others to action through both his words and his deeds. In 1980, from his parish in Chicago, he started a program called One Church-One Child. His idea—for every church to place one homeless child with a family—eventually grew into a national program, and it has helped find homes for more than 50,000 children. In a controversial move, Clements himself adopted four youngsters. (The Vatican eventually supported him.) In 1987, a TV movie told his story.

Now, the 63-year-old priest has an even more ambitious mission: to help recovering addicts find support in their religious communities. Clements' new program is called One Church-One Addict, which he founded with the American Alliance for Rights and Responsibilities, a nonprofit organization based in Washington, D.C.

"If Jesus was walking around today, he'd be working in the area of substance abuse," Clements says when he speaks to religious groups around the country. "Jesus lived on the cutting edge and helped others. We must do the same."

One Church-One Addict is ecumenical: All faiths are asked to do something about drug addiction and/or alcoholism in their communities. Volunteers are trained to give counseling and support. They meet with clients in one-on-one sessions, helping them learn how to live without drugs or alcohol. Clients usually enter the program upon leaving a rehabilitation center or clinic. They receive support for about nine months, although no time limit is set.

I asked Father Clements how he got involved in helping recovering addicts. It began, he said, with a child he once knew who lived near his church—the Holy Angels Catholic church, in the drug-plagued housing projects of Chicago's South Side.

"I wouldn't be in this work today if it wasn't for Tommy," Clements explained. "Tommy was valedictorian of his eighth-

grade class. He was a great football player and had won an academic scholarship to attend an excellent high school. He wanted to be an obstetrician. One evening, he asked if I thought he could make it. 'Of course you can, Tommy,' I told him. 'I have no doubt.' "That night, after I was in bed, the phone rang. It was the emergency room at a local hospital. A kid was dying. He was unconscious and didn't have any identification, but they could make out the words 'Father Clements.' I raced to the hospital. When I arrived, I found Tommy lying on a slab, dead of a drug overdose.

"After the funeral, I sat at my desk and couldn't stop crying. How could I not have known? That day, it was as if a force grabbed me by the back of the neck, and I knew I had to do something."

Shortly after Tommy's death, Father Clements took a walk through his neighborhood. What he saw outraged him: Drug paraphernalia littered the streets and, to his astonishment, was being sold in the area's small liquor stores, pharmacies and candy shops—many of which were frequented by children. A few months later, Clements decided to organize protests. He went to a large wholesaler of drug paraphernalia and held a revival in the parking lot. The 1989 event was covered by regional media and prompted the Illinois Legislature to pass a law banning much of the paraphernalia.

For Clements, however, that victory was only the beginning: He decided that the church could no longer ignore the problem of drugs in the community. After five years of planning, One Church-One Addict was born in 1994, receiving funding through seed grants provided by nonprofit groups. Since then, 715 churches in 31 states have signed on; more than 2000 people have been helped by its network of support.

How does Father Clements compare the two programs he founded?

"I feel that One Church-One Addict is a natural outgrowth of One Church-One Child," he said. "People are much more sympathetic to kids than to addicts. But I tell people that I'm not excusing or defending addiction. We say, 'Love the addict, hate the addiction.'"●

PROTECTING THE FIRST AMENDMENT

● Mr. BINGAMAN. Mr. President, I did not support the effort yesterday to begin writing exceptions into the first amendment of our Constitution. The first amendment protects the right of free speech, no matter how unpopular or offensive that speech is. The Court interprets this to include the right of people to burn a flag if a person so chooses. Presumably, the Court would reach the same conclusion with regard to a person's right to burn the Constitution or even the Bill of Rights itself.

Modern technology has given us the ability to see political protest, including the burning of flags, as it occurs around the world—in Tiananmen Square, in the Soviet Union and Eastern Europe, and in South Africa. We are not only able to see the political protest, we are also able to see those governments step in to prevent that expression, to limit that speech, and to silence dissent and criticism aimed at those in power.

This proposed constitutional amendment would sanction that same type of

repressive action by our own Government. And such repression would not be permitted only when people are disturbing the peace, but also when they are trying to dramatize their strongly held political views. Like most citizens, I might find many of those political views offensive. But I am not willing to amend the Constitution to permit States and the Federal Government to restrict the expression of those views.

It distresses me to see the symbol of our great Republic mocked and desecrated.

But I am not so foolish as to mutilate those values themselves. The strength of our country is in large part due to the fact that we tolerated the expression of unpopular views. It does not strengthen us as a nation to begin, by constitutional amendment, to restrict the right of political expression. It does not protect our Nation to diminish the very liberties which have made us the envy of all mankind.

Mr. President, it seems that this issue surfaces every 4 or 5 years usually before Presidential elections. We spoke about this issue before the last Presidential election and we debate the issue again now.

Mr. President, one point which has come home to me time and again since I have been in the Senate, is that the Framers of our Constitution did a marvelous thing when they wrote that document and when they added to it the Bill of Rights. Not only did they produce a document embodying our most precious values and a system of government to advance and protect those values, they also had the wisdom to anticipate the very type of effort to silence unpopular expression. They anticipated it, and they guarded against it by requiring changes in the Constitution to be accomplished only by a two-thirds vote of both the Senate and the House of Representatives, and then by the approval of three-quarters of the legislatures of our States.

Those requirements have served us well in the present debate. I am glad that the necessary two-thirds vote to approve this amendment was not achieved in this Senate. I am heartened to hear the strong statements of many of my colleagues against the amendment.

What about the public reaction to all of this? Recent polls show that a majority of Americans favor such a constitutional amendment and indicate that they would be inclined to vote against a Representative or Senator who opposed it.

I would like to believe that, given time for additional reflection, most Americans would have a different view. I would like to believe that those of us in public life have a responsibility and opportunity to persuade our fellow citizens on this issue.

Time will tell whether my beliefs are well-founded.

I cast my vote against this proposed amendment with the satisfaction of

knowing that I have done what is clearly right.●

FROM POLITICS TO PARANOIA

Mr. SIMON. Mr. President, recently *The Washington Post* had an op-ed piece by one of the finest people I have met in my four decades of public service: Abner J. Mikva.

He served in the House, served in the federal judiciary and served as counsel to President Clinton. In all three areas he served with great distinction.

I believe we should reflect on his recent op-ed piece "From Politics to Paranoia," which I ask to be printed in full in the *RECORD* at the conclusion of my remarks.

Along with Senator John GLENN and Senator JEFF BINGAMAN, I voted against the authorization of another million dollars for further Whitewater investigations by the Senate committee.

I believe it will turn out to be a waste of money. I have been appointed to that committee, perhaps because of that vote.

But much worse than the conduct of congressional committees have been the excesses of the independent counsels that have been appointed.

If I were to vote again today on that creation, I would vote against it.

I read recently that the Whitewater independent counsel is now investigating two contributions to Bill Clinton's 1990 gubernatorial race. And the independent counsel has now spent almost \$25 million in pursuing every little remote lead.

Our laws should be enforced and we need independence.

My own feeling is that we should establish certain standards for the Office of Attorney General and then not have an independent counsel.

Janet Reno is independent. President Gerald Ford's appointment of Ed Levi as Attorney General was not an appointment of a close friend but rather someone genuinely independent.

Unfortunately, we have had examples of Attorneys General being appointed who are too close to the President.

But to have independent counsels that run amuck is not in our national interest.

The article follows:

[From the *Washington Post*, Nov. 26, 1995]

FROM POLITICS TO PARANOIA—MISGUIDED ETHICS LAWS HAVE GIVEN US MORE MISTRUST, NOT LESS

(By Abner J. Mikva)

It probably was inevitable that after a year as White House counsel some in the media and politics would speculate that I left my job because I "know something." I don't want to defend. That suspicion is dead wrong. I left because I am physically tired—but in good health and humor, and I intend to stay that way.

The long hours were draining, though worth it. But far more demoralizing was what I came to see as a profound loss of faith by the American people in the government they've created. I leave public life at a time when America has grown unusually distrust-

ful of its government and its leaders. Too many of us expect and believe the worst about government, even when no evidence exists to justify our doubts. And I've come to think that some of our intended solutions to this over the years have become the cause of the problem. We need changes in the independent counsel law and others we've created with perhaps the best of intentions.

Healthy skepticism is necessary to the continuation of our democracy. When it turns to paranoia, it becomes destructive. American history has alternated between the two—from the Watergate reformers and the anti-Federalists who opposed the new Constitution of the 1780s to the paranoia of the "Know Nothings" of the mid-1800s to the "I hate Washington" crowd of today.

What seems paradoxical about today's lack of trust is that never have people in government been obliged to disclose more about themselves. Ethics laws, freedom of information laws, conflict of interest laws and others have made public officials live in the clearest goldfish bowl ever. Federal agencies have inspectors general and designated ethics officials whose job it is to ferret out any unethical behavior, whether it is by a Cabinet secretary or a mail clerk. The independent counsel laws provides a mechanism whereby the attorney general must refer out any evidence of criminal wrongdoing by high government officials.

Yet public confidence in government—the ostensible goal of ethics legislation—is at an all-time low. Indeed the accounting often seems to further the problem by allowing critics to magnify minor blemishes into major defects.

For instance, there has been a regrettable willingness by politicians and activists in both of our major political parties to use even a hint of ethical misconduct as a political weapon against the other side. Negative political advertising has become an art form for almost every political campaign. Add to this a tendency in the public arena to exaggerate claims of impropriety, and it sometimes becomes difficult for the public to distinguish between legitimate and illegitimate charges.

The media has added to the excesses. The desire of the electronic media to use sound bites rather than reportage lends itself to the name-calling and the sensationalism that exists. The desperate nature of competition for the print media had caused many newspapers to reach for scandals and follow the lead of the most yellow-journalism rivals.

Most of the investigations that I dealt with during my time as White House counsel—Whitewater, Waco, the Travel Office, the Mexican peso crisis—were a dismaying waste to time for Congress, for the administration and for the media who kept looking for a nonexistent smoking gun.

The investigations showed that some people in government made mistakes, used bad judgment, passed the buck and displayed other human fragilities that may be worthy of comment but hardly of an inquisition. In the Waco tragedy, for example, the Department of Justice and the Treasury Department each issued candid reports on the events, including an assessment of blame for the mistakes. The congressional investigations added nothing to the public awareness except to beat up on the agencies. The same is true of the congressional Whitewater investigations where an independent counsel operation has been spending a lot of time and resources to determine whether any governmental officials engaged in wrongdoing.

I am not an apologist for human shortcomings. Once a government official steps over the ethical line, he or she should be dealt with firmly. The public must know

that we will not tolerate ethical lapses, whatever the personal consequences to the violator. But government cannot daily prove its rectitude to the cynic convinced of government's corruption. A nation where cynicism toward government prevails cannot function effectively.

Of course, a government that merely implores voters to "trust me" will not gain that trust, nor should it. But if our eternal rounds of inquisition and calumny tear down the public trust, and make government out to be a cesspool, if our remedies make public service so unattractive and distasteful as to lose the capacity to recruit new and good people to government—we lose the whole ballgame. We have spent so much time accusing, finger-pointing and exposing, that we have forgotten why we formed a government in the first place. We make it impossible to be governed.

And yet we are proposing additional ethics reforms, based not on what they can achieve, but rather on the political perception that something must be done. In an attempt to "out-ethic" the political opposition, we only make matters worse.

For example, we already require the filing of too many forms. Every year all of our senior officials spend countless hours preparing financial disclosure forms. Candidates file extensive reports on how they raise and spend their campaign money. The reports are so complicated that most reviewers can't understand what they are reviewing, but they do serve as wonderful traps to snare the unwary official.

We have lobbying laws on the books that do precious little to expose the difference between legitimate lobbying and improper use of money and favors to gain desired results. There are proposals to add further forms—ones that will do nothing to break the link between lobbying and money. We ought to concentrate our efforts on gift banning and campaign finance reform.

We ought to evoke the principle that applies to federal judges, who cannot accept anything of value from any party who has an interest in a case before that judge. The judge either refuses the gift or recuses himself from the case. It's a simple principle. Judges understand it; lawyers and their clients understand it; everyone obeys it. In the rare cases where judges violate the rule, they go to jail. What the principle does is break the link between the giving and the ruling. You can give but you cannot buy. Applied to Congress, which recently has banned gifts such as meals and trips, the principle would end the seamy business of members asking for contributions (and getting them) from person most likely to be affected by the member's actions. Obviously, such a plan would necessitate a whole new campaign finance structure, but that is long overdue anyway.

We ought to reconsider the independent counsel statute. Some may smirk that I of all people would suggest changing it, since I voted for it while in Congress and have had to live with its consequences during this past year. But fewer and fewer people in either political party now believe that it really works. The original purpose of preventing Richard Nixon and his friend and close adviser Attorney General John Mitchell from investigating themselves in the Watergate scandal has been achieved. Since then, 17 independent counsels have been appointed. Their mandates have ranged all the way from investigating whether a White House aide sniffed cocaine in a New York nightclub to whether a cabinet official understated how much money he paid to a woman with whom he had an affair. One investigation—the five-year-old probe of Department of Housing and Urban Development officials—

has gone on for so long that the independent counsel announced that the main target had grown too old to pursue. One can question whether even the Iran-contra case or the Whitewater affair wouldn't have best been handled the normal way by Justice Department prosecutors.

We can do better. We need to amend the statute to provide for qualifications for the independent counsel that guarantee political independence. The counsel ought to be appointed on a full-time basis for a limited period of time. Extensions of the original period of appointment should be allowed only under very limited circumstances. The threshold for seeking an independent counsel should be raised further—to limit the appointment only to cases where it is clear that normal authority is insufficient. The selection process for the special court which appoints and supervises independent counsels should be changed to ensure both the reality and the perception of nonpolitical appointments.

From the outset, our founders recognized the tension between governing effectively and the elimination of all potential for abuse. George Washington wrote: "No man is a warmer advocate for proper restraints and wholesome checks in every department than I am; but I have never yet been able to discover the propriety of placing it absolutely out of the power of men to render essential services, because a possibility remains of their doing ill."

If we have all these codes of ethics and all of these disclosure laws and all of these investigating institutions and less trust with each addition to the pile, we must be doing something wrong. We need some remedies that will restore the faith.●

TRIBUTE TO JULIE MCGREGOR

● Mr. HATFIELD. Mr. President, frequent staff turnover is a fact of life in the Senate. In this regard, I have always considered myself exceedingly lucky. I have had many key staff members who stayed with me far beyond the average tenure and I, and the people of Oregon, have greatly benefited from their institutional knowledge and experience. But, inevitably, the day arrives when even those diehard staffers feel it is time to move on. For Julie McGregor, that day has arrived.

And so I rise to bid farewell to a longtime and valued staff member. I find it difficult to take so many years of loyalty, dedication, and friendship and wrap it into a neat one page package. Words alone simply seem inadequate to express what Julie has meant to me, to my family, and to my office.

Julie came to my office 13 years ago as an eager, bright, and intelligent intern. She departs today a wise and competent sage. In that time, Julie's role evolved from that of student to mentor. No matter how busy, she always took the time to encourage and guide less experienced colleagues. Members of the Appropriations Committee staff as well as my personal staff have relied on Julie's counsel and valued her perspective as much as I did.

One of Julie's greatest assets is her intuitive ability to cut to the heart of the matter. She thoughtfully and fairly examines all sides of an issue, but re-

mains unerringly firm in her convictions. Even in the most emotional discussions or difficult issues, Julie is a calm voice of rationality and reason. In fact, those who don't know her well might be deceived by Julie's quiet manner or seemingly shy nature. They shouldn't be. She is extraordinarily tenacious. If you are staking a position or fighting a battle, you definitely want Julie on your side.

Julie grew up in small southern Oregon community, and those roots have served her well here. While adapting well to the rough and tumble political world in Washington, she has always kept clearly in mind the individual human beings whom we serve. She is both politically astute and compassionate, a combination of qualities that is so rare it is almost an oxymoron. Aware of the realities and limitations of the political process, Julie is unwavering in her belief that the Government can and should use its powers to improve the human condition. This is a belief that we share and one that has guided many of our legislative efforts.

While Julie, at one time or another, handled nearly every legislative issue in my office, her true calling was one that is closest to my own heart. First as a legislative assistant and later as my director of International Policy, she became an advocate for peace and a champion for humanitarian concerns. Julie's work on arms control, human rights, and nuclear proliferation issues, among others, leaves a lasting legacy in the Senate and has had an impact on us all.

Julie played a key role in one of the legislative accomplishments of which I am most proud. In 1992, we were successful in enacting legislation establishing a moratorium on nuclear testing by the United States. This nuclear test ban continues today and the United States' leadership on this issue has prompted much of the rest of the world to follow suit.

Julie has spent her entire professional career in public service, in service to the State of Oregon and to the U.S. Senate. I know that the people of Oregon, and my colleagues in the Senate, join me in expressing our gratitude for many years of exemplary work.

While we are sad to see Julie leave us, we are also excited for her as she begins a new phase in her life. This weekend she leaves Washington to join her fiancé, Michael Britti, in New Mexico. There will be many wonderful opportunities and adventures as Julie moves on with her career, and as she and Mike begin to build a life together.

Julie is, and always will be, a member of the Hatfield family. Antoinette and I send her off with our love and our best wishes for a future full of happiness and success.●

SCHOOL FACILITIES AND THE NEW GAO REPORT SCHOOL FACILITIES: STATES' FINANCIAL AND TECHNICAL SUPPORT VARIES

• Ms. MOSELEY-BRAUN. Mr. President, I would like to announce the results of a study conducted by the General Accounting Office on States' efforts to improve the condition of our public school facilities.

Infrastructure needs are not cosmetic—they go directly to the safety, the suitability, and environment for learning that directly affects American students' performance in the classroom.

The GAO found that many States are doing little to address the deterioration of our schools—and what is being done varies widely from State to State. Only thirteen States take a comprehensive approach to their school infrastructure needs—by providing ongoing funding for school improvement projects, offering technical assistance to local officials, and maintaining up-to-date information on the condition of their facilities.

The GAO has documented that our schools are falling apart.

They are not ready for the Information Age because of inadequate infrastructure. More than 60 percent lack sufficient phone lines. Thirty-five percent don't even have enough electrical power to operate computers.

Last week, the Washington Post ran an article that described the condition of the bathrooms in some of the District's schools. The Post reported that many of the restrooms are in violently foul condition—unhealthy and unusable.

One parent said she could not believe the bathroom in her children's school was in the United States. I have that article and would like to submit it for the RECORD.

We have seen these problems in school buildings all over the country—in Chicago, Baltimore, New York, and Los Angeles—in rural communities, as well as in urban centers.

America cannot compete if our students cannot learn, and our students cannot learn if our schools are falling down.

Earlier this year, the GAO released a report—entitled *School Facilities: The Condition of America's Schools*—that looked at the facilities that millions of our children walk into every morning. In that report, the GAO documented that 13 million students attend schools that need to be extensively repaired or replaced.

The GAO estimates that it will cost \$112 billion to upgrade our school facilities to a good, overall condition. This cost is growing. The longer infrastructure needs are ignored or deferred, the greater the cost will be. The situation is like that facing the owner of a home. If the roof leaks, and you find the leak early, you can patch the roof. But if you wait a few years, you find you'll need to tear out the walls or rebuild the foundation. The message

couldn't be clearer—delay equals additional cost.

In the report released by the GAO today, we find out that many States are not even bothering to assess the damage or call in the building inspector.

The GAO says State support is limited and varied. In fiscal year 1994, States provided a total of \$3.5 billion in grants and loans for school facilities construction—only 3.1 percent of the total funding needed.

The sum of \$3.5 billion may sound like a lot, and indeed, if your child goes to school in Alaska, it is. The State of Alaska spent almost \$275 million—\$2,254 per pupil—in fiscal year 1994 on school construction projects. On the other end of the spectrum is my home State of Illinois. Illinois, along with 10 other States, provides no ongoing support for school facilities construction or improvement.

Today's report documents an alarming lack of knowledge about the conditions of our schools. More than half of the States have no recent information on the condition of school buildings in their States.

I mentioned a newspaper report on decaying children's bathrooms. Gerald Sigal, a major construction contractor, also read that article. He was so upset that he is forming a coalition of business leaders to fix the problem. Mr. Sigal responded to the public school bathroom crisis because he found out about it.

But most schools seldom have a major newspaper to do their reporting for them, and the only people that may know about the brown tap water and broken plumbing are the children.

Last year, Congress took a monumental step toward fixing our school facilities problem when it enacted and funded the Education Infrastructure Act. This year, however, Congress took away the money.

Mr. President, if our children do not have computers, or if they cannot see the blackboard because it has fallen off the wall, or if they cannot go to the bathroom because it stinks of sewage, or if they cannot keep warm because the heaters are broken, they cannot concentrate, and they cannot learn.

This new GAO report is essentially a report card that measures State support for education infrastructure. Very few States get a passing mark. But the schools are still falling apart. The time has come for us to step in and heal our Nation's schools.

The problem goes beyond what many local communities can handle. Many Districts cannot find more revenue because they have already been stretched to their local limits in bonding and other ways to raise money for education.

The GAO looked at whether technical assistance is available from the States to local school officials—whether local officials can count on States for help in advice and planning. Again, great disparities exist.

Florida has the equivalent of 72 people who provide guidance on planning, construction, and maintenance. New York gives workshops and publishes articles on facilities planning. But 34 States have less than 6 full time people available for this kind of assistance.

Repairing our schools is in the national interest. We must provide assistance to strapped local school districts in a way that directly benefits children. Federal support for education infrastructure allows us to help local school districts create a suitable environment for learning, without violating the tenet of local control over public education.

I urge all of my colleagues to take a close look at this new GAO study, and decide how much longer they want to leave the problem of our crumbling public school facilities to someone else.

The article follows:

[From the Washington Post, Dec. 8, 1995]

IN D.C. SCHOOLS, IT'S TOUGH GOING—STUDENTS FIND THEMSELVES WITHOUT SOAP, TOILET PAPER OR PRIVACY

(By Sari Horwitz)

Children in public schools across the District often use dirty bathrooms that lack private stalls, soap, paper towels and even toilet paper.

The restrooms in even some of the city's most highly regarded public schools are in such poor shape that parents fear they are unhealthy for children, and educators say they are interfering with learning.

One of those schools is Horace Mann Elementary in well-to-do upper Northwest Washington, a school that has won awards from the U.S. Department of Education. Many days, second-grader Peter Joyce and his schoolmate Joe Takesuye won't use the boys' bathroom because of the filth and overpowering stench of urine. They hold it until they get home.

"The bathrooms really smell," said Peter, 7. "They are dirty. There's paper towels all over the floor, spitballs on the walls and the water from the sink is like, brown. It looks gross."

Horace Mann Principal Sheila Ford said she doesn't have the money to improve the 64-year-old building's plumbing. But she's looking for resources because the bathroom problem is spilling into her classrooms as the odors creep into her halls.

"When I need to use the lavatory and I'm away from one, my concentration is eliminated," Ford said. "It is the same for children."

Dirty, dilapidated school bathrooms are a problem in urban schools across the nation and are worsening as buildings age and resources for maintenance diminish, according to officials. Almost one-third of the nation's school buildings were built before World War II.

In a world where educational dollars are getting stretched ridiculously thin, bathrooms stand at the end of the line," said Michael Casserly, executive director of the Council of Great City Schools, which represents the nation's largest school districts. "They've really fallen off the radar screen in terms of priority."

The bathroom problem, however, does not appear to be as serious in other school systems in the Washington area as it is in the District, according to parent activists in Fairfax, Montgomery and Prince George's counties.

Open the door to the only bathroom for 140 little boys in 127-year-old Stevens Elementary in downtown Washington, and the

stench of urine is overwhelming. The dank bathroom with rusting, corroded pipes is in the basement, and the windows remain shut for security reasons.

"It kind of holds the odors in," said the school's new principal, Gloria Henderson, who has been trying unsuccessfully to have a hole cut in the wall and an exhaust fan installed.

The bathroom problem in D.C. schools is not all old age.

Parents and educators said that in many schools, clean, fully stocked and functioning bathrooms are simply not a priority in a school system saddled with other problems and budget woes. Hundreds of D.C. students still do not even have textbooks.

This fall, parents at Watkins Elementary School, on Capitol Hill, were stunned to discover there were no working sinks in the girls' or boys' bathrooms on the first, second and third floors, in some cases since last January, according to parent Samuel Brylawski.

"Here you have a school full of kids who don't wash their hands after they go to the bathroom," Brylawski said. "It took parents nine months to be informed. Fundamental sanitary practices were not a high priority."

Some repairs were made after Brylawski wrote a letter to the superintendent and the public health commission, he said.

Mary Levy, counsel to Parents United, a parents advocacy group, said the low priority for maintaining bathrooms reflects officials' lack of concern of children. "Every door should be taken off the stalls of the buildings with elected officials until they fix the doors for children," she said.

Bathroom water is the issue at Langdon Elementary School, in Northeast Washington. PTA president Vivian Whitaker said only cold water comes out of the bathroom sinks, and it's dirty brown.

"I wouldn't recommend the children wash their hands," Whitaker said.

School officials said it's hard to maintain heavily used bathrooms, especially when students dirty them or break equipment. Parents said students are less likely to violate clean, working restrooms.

At schools where bathroom repairs have been made, such as Wilson High School and J.F. Cook Elementary, it has made all the difference, they said.

Three years ago, D.C. public schools hired a consulting firm to study its buildings. The firm found serious problems in bathroom piping and toilets, including old sewage pipes rusted beyond repair, poor lighting and missing or defective toilet stalls and urinals.

In seven schools, the plumbing was called "hazardous." The plumbing system at Francis Junior High, with "extensive leaking and clogged pipes" was called "unacceptable." At Browne Junior High, the report called for "immediate replacement" of all the plumbing. As of July, 75 D.C. schools needed repairs, including new or fixed sinks, according to a school document. An additional 13 schools needed toilet partitions so students could use them with privacy.

At one on that list, Duke Ellington School of the Arts in Georgetown, student Zavi Ball, 16, described the bathrooms last week as "disgusting, horrible."

"There's never any paper towels or soap," she said. "There's no warm water to wash your hands. There's hardly ever toilet paper. There's dirty feminine products on the floor and roaches. Whenever guests come, they clean the bathrooms up. But when it's just us, they don't care. When I come to school at 8 in the morning, the bathroom is already dirty."

Facilities and Management Director William McAfee did not return phone calls. But school spokeswoman Beverly Lofton said building repair funds were very tight.

With a more than half-billion-dollar budget, the District spends \$7,673 a year for each of its students, one of the highest per-pupil operating costs in the country. But most of the capital funds for building upkeep and repairs have been used for repairing fire hazards, Lofton said.

"We don't want our kids going to schools that don't have functioning bathrooms," Lofton said. "We want them to have the best of everything, including partitions and sinks that work. But there is a lack of capital money to repair everything that breaks when it happens."

"We do recognize we have problems with bathrooms in the school systems" she said. "Bathrooms are a priority for the coming year."

Principal Rosalie Huff of Anthony Bowen Elementary School, in Southwest, tired of waiting. When the school system hadn't replaced her broken toilets and missing partitions in 12 bathrooms by the beginning of this school year, she bought five new toilets and partitions herself.

"I had a situation that was really awful," Huff said. "It didn't allow any type of basic human dignity for the girls. You were just sitting out if you had to use the toilets."

Consumer advocate Ralph Nader wants the Appleseed Foundation, a public interest law center he helped create, to work to improve the District's school bathrooms. He got fired up about dirty, dysfunctional restrooms after listening to complaints from students at Alice Deal Junior High. "They said their bathrooms were filthy," Nader said. "There was no soap, no privacy and no toilet paper. And they said they held it. But the faculty restrooms were immaculate. It's so disgraceful."

A visit to Deal last week revealed boys' and girls' bathrooms missing doors on the stalls and partitions between toilets, sinks that don't work properly and boys' restrooms filled with an overwhelming stench. A school worker said the odor came from toilets that leak and sewage that sits in rusty, corroded pipes.

At Horace Mann, PTA president Jane Joyce said she was so fed up with the bathrooms that she raised the issue at the first parents meeting in September. About 30 parents volunteered to come in on a Saturday and scrub the floors, bring in toilet paper and make repairs.

That helped for a while. A few weeks ago, parent Joan Murray ventured into one of the school bathrooms to see if it really was as bad as her two children described.

"I wouldn't use it," Murray said. "It was more than horrendous. It was disgusting. There were paper towels everywhere, no flushed toilets and no soap. The water didn't come out of the spigots. And it smelled. I couldn't believe it was in the United States." •

AMBASSADOR JOSEPH VERNER
REED'S ADDRESS TO
INTERPARLIAMENTARY CON-
FERENCE

• Mr. PELL. Mr. President, in October, Ambassador Joseph Verner Reed represented U.N. Secretary General Boutros Boutros Ghali at the 94th Inter-Parliamentary Conference in Bucharest, Romania.

At the Conference, Ambassador Reed delivered an exceptional speech concerning the current financial crisis at the United Nations. As a longtime friend and supporter of the United Nations, I can think of no issue more im-

portant to the U.N.'s future. Moreover, the United Nation's fiscal health has critical implications for our own country's foreign and domestic agenda.

In his address, Ambassador Reed—formerly one of the United States' most accomplished diplomats and now a high-ranking U.N. official—made a compelling argument about the necessity for resolving this crisis. I commend the speech to my colleagues and ask that excerpts be printed in the RECORD.

The excerpts of the speech follows:

Mr. President, the fiftieth anniversary of the United Nations has arrived at one of the turning points in modern history.

The United Nations is the only machinery we have for collective cooperation among all Nations. It is the only global tool for promoting peace and security. It is the only worldwide institution for furthering development. It is the only universal mechanism for protecting human rights. It is the only shared framework for strengthening international law.

But today I feel compelled to share my distress with you on a subject which is unavoidable, the survival of the United Nations. For almost four years, we have tried to convince the governments of member states of the United Nations to pay their assessments on time. For four years we have warned of the financial consequences of the failure to pay assessments. We have argued, we have pleaded.

The organization has cut expenses. We have streamlined operations. We are working hard to reduce waste, duplication and overlap. Peace-keeping is expensive. The operation in the former Yugoslavia costs five million dollars per day.

In Every major statement and document of the Secretary-General, he has drawn attention to the financial crisis and proposed steps to remedy it. In meeting after meeting with foreign ministers and heads of state over these years, he has pleaded with them to address this deteriorating situation.

As of October 1995, 70 countries had not paid their regular budget assessment. Today, the United Nations is owed a total of \$3.4 billion by its member states.

I appeal to you as parliamentarians to help me resolve this crisis. I ask you to try to convince your governments to pay their arrears, and to pay future contributions on time, and in full.

I make this appeal to you because the United Nations is your organization. I make this appeal here because without peace, and without the global efforts of peace, and without the global efforts of the United Nations, all your efforts for development will be to no avail.

The United Nations is not one of the luxuries of international life. The work of the United Nations is of vital, critical importance:

Saving children from starvation and disease.

Providing food, clothing and shelter for refugees.

Delivering humanitarian relief to devastated areas.

Working to stop the cycle of natural disasters in lands repeatedly afflicted by them.

Countering the new international threats of crimes, drugs, disease.

Defending human rights in individual cases as well as through international commitments.

Advising, training, monitoring and institution-building in countries seeking to democratize.

Maintaining ceasefires, preventing conflicts from erupting, peacemaking between

adversaries and peace-building in devastated countries.

These activities are going on now. They are being conducted on the ground in locations all over the world. They are carried out by dedicated, hard-working national and international staff members.

The financial crisis is being felt on the frontlines of all these efforts. If emergency measures to restore the financial health are not taken quickly, human suffering will dramatically increase. People will die. The structural ability of the United Nations to continue this work will be damaged. It will not soon or easily be reconstructed, if ever.

Unless substantial assessment payments are received by the end of November 1995, the Secretary-General will have no choice but to request that an emergency special session of the United Nations General Assembly be convened immediately to consider the financial crisis—and future of the organization.

The financial crisis of the United Nations is now destroying its very foundations. We can no longer pretend otherwise. That is why we appeal today to you—the world's parliamentarians for assistance. You must be our voice. You must be our advocate. You must be the protectors of our common future.

Mr. President, this is an emergency—the Secretary-General and all of us in the secretariat believe that positive change can be achieved, and he is convinced that this change can be the vehicle for fulfilling the aims and aspirations of the charter. He is convinced that working together in partnership we can save succeeding generations from the scourge of war; we can enhance the dignity and worth of the human person; and we can promote social progress and better standards of life in larger freedom.●

POLLS GET IN THE WAY OF WASHINGTON'S WORK

Mr. SIMON. Mr. President, the Post and Courier, a Charleston South Carolina newspaper, recently had an op-ed piece by our colleague from South Carolina that is typical in its FRITZ HOLLINGS' bluntness, but also typical in its FRITZ HOLLINGS' wisdom.

Two points in his op-ed piece need to be stressed over and over again. One is that you cannot lead by taking polls.

You lead by studying the issues and having some conviction and doing something. Leadership that simply follows the polls is leadership in name only.

At all levels of government, we need much more leadership of conviction. If we believe we are going to satisfy the public and turn away their cynicism by some of the gimmicks that we use, we are only fooling ourselves. I agree with the limitations on lobbying and I favor a much improved system of financing political campaigns, but if these things happen but we continue to govern by polls rather than by looking at the national needs, we will get nowhere.

The second part of this statement is a recognition that we need to get additional revenue for the federal government.

He says accurately, "We have fiscal cancer and nobody wants to talk about it." He goes on and says bluntly, "To put a tourniquet on this deficit-debt hemorrhage, we need spending cuts,

spending freezes, a closing of tax loopholes, denying new programs and tax increases."

Our highways are deteriorating compared to those in Western Europe when not too many years ago it was the other way around.

We have a much higher percentage of our children living in poverty than any of the Western Europeans countries.

We are the only western industrialized country that doesn't protect all of our citizens with health care insurance.

These things take revenue, and people in this body and in the Administration ought to be talking much more candidly to the American public.

I commend our colleague, Senator HOLLINGS, for being blunt and telling us the truth in this article which I ask to be printed in full in the RECORD. The article follows:

[From the Post and Courier, Nov. 15, 1995]

POLLS GET IN THE WAY OF WASHINGTON'S WORK

(By Senator Ernest F. Hollings)

The silent scandal that permeates Washington is the pollster charade. As in Newsweek's Conventional Wisdom Watch, today's Washington is based on who's up and who's down in the polls. Everyone—the president, Congress and the media—participates. The result? Nothing gets done and no one really expects anything to get done. Meanwhile, the nation's real needs are ignored. There is no genuine plan to guide us. And plans to put us on a pay-as-you-go basis are simply pollster-driven budget schemes fashioned to get politicians past the next election.

John F. Kennedy started it all 35 years ago in West Virginia. Lou Harris' polls identified hot-button issues of concern and Jack Kennedy played them like a Stradivarius. Political polling immediately became the order of the day. Now even the media wittingly are the engines behind the oppressive reliance on polls. No longer do reporters bow to the who, what, where, when, how and why of fact and accuracy. Instead, they kowtow to pollsters to elicit pithy partisan responses that stem from polls.

The pollster begins each day with "divide and conquer." Voters immediately are divided into age, sex, race, education, working or retired, married or single, veteran or military, city, suburb or rural. No one is considered an American. They have to be Asian-American, African-American, Irish-American.

Division is the pollster mentality, but dissembling is the pollster's art. No pollster has served a day in office. But they'll tell you in a minute that you can't break the Sacred Code of the Pollster. If you want to get—and stay—in office:

Never take a firm position. If you do, you'll divide voters.

Favoring a proposition will put you at odds with those who oppose.

Opposing will separate you and those who favor.

To influence the most voters possible, firmly say that you're "concerned" about any issue so you appear understanding and appease both sides.

Aha! Now any way you slice it, you've identified with the voter. With this kind of soubite mentality permeating the airwaves, it's easy to understand why there is no leadership in Washington.

Lee Atwater taught that negative politics is the positive path to political victory. As a result, one of the first "musts" for a can-

didate today is to order negative research on opponents—and himself. Why? To have a prepared answer for any past mistakes or inconsistencies and to be able to unload on an opponent at the end of the campaign when voters finally are interested and there's no time to respond.

Pollsters also teach both incumbents and challengers to preach change. That's why all candidates sound the same. Republicans and Democrats are all for cutting spending and against taxes; for prisons and against crime; for jobs and against welfare; for education and the environment. And, of course, everyone is for the family. With this emphasis on change and negative politics, the logic of the pollster paradigm is that government is the enemy and problem, not the solution. As such, everyone serving in government must be ousted. Thus, there's the cry for term limits.

The media's job is to expose this nonsense. But instead of living up to this responsibility, the media have joined the scam. They feast on polls and partisanship. Rather than reporting the news of the day, they make the news with their own polls. Questions by reporters don't delve into an issue but focus on the poll or partisan aspects of the issue. What they want is conflict.

These days, the pollster charade in the media continues with the ludicrous notion that spending cuts alone can eliminate the deficit. Or worse—that cutting taxes can eliminate the deficit. Nothing could be further from the truth. Since Ronald Reagan's "voodoo" that tax cuts could bring in more revenue and eliminate the deficit, the national debt quintupled from less than \$1 trillion to almost \$5 trillion. And instead of eliminating waste in government, we created the biggest waste of all—\$348 billion a year in interest costs. Since we can't avoid paying interest costs, we borrow a billion dollars daily, which automatically increases spending a billion, increases the debt a billion and increases interest costs. Every day the cycle starts again.

Both President Clinton's and Speaker Gingrich's budget plans to get rid of this waste are mere ruses to get past next year's election. But Washington politicians figure—who cares? Who will be around seven years from now? And the media lets them get by with it. Our 1995 budget was \$1.52 trillion. The 1996 Clinton budget is \$1.63 trillion. The 1996 Gingrich congressional budget is \$1.60 trillion. Both budgets increase spending. Neither keeps up with the \$1 billion daily increase in the national debt. Over the seven years, spending exceeds revenues by more than \$1 trillion. The media know this yet continue to report "a balanced budget by the year 2002."

Now comes the bogus proposal to balance the budget by reducing cost-of-living increases for Social Security and by raiding Medicare. By law, Social Security funds are in trust and are not to be used to offset the deficit. Similarly, the Medicare trust fund for hospital costs is in the black, but may go into the red by 2002. In other words, both Social Security and Medicare are paid for and in surplus. What is not paid for this minute is defense, education, farm subsidies, environmental protection, veterans' benefits, law enforcement—general government. We readily increase billions for defense and other programs but are unwilling to pay for it. Thus continues the borrowing, spending and downward spiral that increases the deficit. We have fiscal cancer and nobody wants to talk about it.

To put a tourniquet on this deficit-debt hemorrhage, we need spending cuts, spending freezes, a closing of tax loopholes, denying new programs and tax increases. But proposals to do this go unreported. As such, the

public believes spending cuts alone will do the job. And the media validate bogus plans to cut taxes as serious moves to balance the budget. That we really are broke is ignored.

Rather than being pollster pawns, the media should serve as an institutional memory to give up perspective. With the Cold War over, it's time to rebuild our economy. More than ever, a strong government is needed—for education, job training, research, housing, transportation, technical development and inner-city needs.

But the media treat government as the enemy.

In a silent conspiracy with pollsters and Washington politicians, the media masquerade opinion polls as fact and validate the politics that any tax increase is poison. All the time, the rebuilding of America goes wanting and neither the Clinton nor the Dole/Gingrich forces can talk sense. The train wreck is a media production. •

ORDER OF BUSINESS

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from Colorado is recognized.

OUR TROOPS WILL SPEND CHRISTMAS IN BOSNIA

Mr. BROWN. Madam President, as I came over here tonight for the vote, I could feel the light snow and the chill of the wind. It made me think of the weather that the young men and women who we are sending to Bosnia will experience during their Christmas—the 19- and 20-year-old young men and women who love their country, and they will give their very lives if called upon to serve. They will spend this Christmas thousands of miles away from home, in the outskirts of Tuzla, Bosnia—and they will do it gladly.

In the idealism of youth, they will know that they are serving their country, and they will carry with it an enthusiasm that tells them they would do anything to serve this Nation and to preserve our freedom.

I cannot help but remember the words of a movie that perhaps some have forgotten, a movie that some of the critics laughed at. Sylvester Stallone played the part of a man trying to free POW's in Vietnam. When he came back from the mission that some of the leaders had tried to thwart, he was asked by his commanding colonel what in the world he wanted. The words he spoke in the movie were: "I want what every man who served in Vietnam wanted; I want my country to love me as much as I love my country."

Tonight we have decided to send young men and women into harm's way, and into a cause that is not clearly defined, and into a mission that is full of risk. But they will go, and they will go gladly. They will make us proud.

Madam President, that love of country and that willingness to serve, to go anywhere and do anything for us, deserves more than a casual commitment

from the leaders in this country; it deserves leaders that love those men and women as much as they love us. It deserves a commitment from us that is comparable to theirs. It is a commitment we should not take lightly. We should not send young men and women to their death without being fully resolved that what they might die for is worth the price.

I do not believe that the mission that has been outlined is worth that price, and I do not believe that our leaders have that commitment. But the decision has been made. Those young men and women go with our prayers, and I will think of them this Christmas, away from home and facing what may be the saddest part of anyone's life—the chance of giving their lives for a mission that their country may not care about. That surely is the toughest burden that any young man or any young woman may ever have to face. I only pray, now that the decision is made and the troops are on the way, that we will not forget them, that we will stand beside them, that we will not deny them the weapons they need, that we will not refuse to go after the people who shoot after them, and that we will spare no effort.

My heart was filled with joy when I heard the reaction of the French President when the French pilots, who had been taken prisoner, were not returned. He made it very clear that France would not accept their men not being returned in any way, or under any circumstances. Because he stood firm, those boys were returned. He stood up for his troops and he stood beside them.

I only pray that this Nation will have the courage to do as much for those young men and women whose lives we put on the line.

I yield the floor.

Mr. PRESSLER addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

SENDING TROOPS TO BOSNIA IS A MISTAKE

Mr. PRESSLER. Madam President, I would like to say that I feel very strongly that the basic decision to send troops to Bosnia, under the circumstances, is a mistake. I voted today for the Hutchison resolution, and I did so as a Vietnam veteran, as one who served in the Army in Vietnam. I feel strongly that we have made a mistake by sending troops to Bosnia.

Certainly, all of us want our troops to be well cared for and well equipped, but I oppose the basic decision to send troops there. Indeed, from my State, in the National Guard callup, 1 of 8 people who have been called up so far, probably to go to Bosnia, is a nephew of mine. And he will willingly serve his country, just as I did. But I disagree with the basic decision to send troops there and have so voted today.

Those were not easy votes, and I feel that the last vote was more or less pa-

pering over the whole decision, so I voted against that resolution. I feel very strongly, and my constituents feel, that we are engaging in an adventure from which we will not be able to get out of easy, and if we do get out of it, it will be with a large foreign aid bill.

There has been fighting in that country since the 15th century, and it has continued largely because foreign armies have come every time they have had a civil war, and it has never been resolved. That will probably be the case again.

So, Madam President, I wish to state that, certainly, we all care a great deal for our troops. One of them is going to be my nephew. I make my decision based on experience as a lieutenant in the Army in Vietnam. I just do not think this will work. That is the reason I voted as I did today.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT ON H.R. 1977

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate considers the conference report to accompany H.R. 1977, the Interior appropriations bill, that it be considered under the following time limitation: There be 6 hours for debate on the conference report, with 3 hours under the control of Senator GORTON or his designee, and 3 hours under the control of Senators BUMPERS and BRADLEY or their designees with 20 minutes of Senator GORTON's time under the control of Senator BYRD; that when the time is used or yielded back, the Senate proceed to vote on adoption of the conference report with the above occurring without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORRECTION OF ENROLLMENT OF S. 1060

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 116 that has just been received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 116) directing the Secretary of the Senate to make technical corrections in the enrollment of S. 1060.

The PRESIDING OFFICER. Is there objection to proceeding to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

AMENDMENT NO. 3098

(Purpose: To add a technical correction)

Mr. BROWN. Madam President, I send an amendment to the desk on behalf of Senators SIMPSON and CRAIG.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] for Mr. SIMPSON, for himself, and Mr. CRAIG, proposes an amendment numbered 3098.

Mr. BROWN. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, after line 10, insert the following:

(7) In section 18, strike "contract, loan, or any other form" and insert "or loan".

(8) In section 12(b)(1), strike "7" and insert "6".

Mr. SIMPSON. Madam President, I rise, along with Senator CRAIG, to offer an amendment to H.Con.Res. 116, the resolution to make technical corrections to the recently-passed lobbying reform legislation, S. 1060. We understand that our amendment is acceptable to the managers of the lobbying reform legislation, Senators LEVIN and COHEN, and we are grateful to each of them for their cooperation.

In explaining our technical amendment, we note that three versions of the Simpson-Craig lobbying reform amendment have passed the Senate. The first was our amendment to S. 1060, banning all forms of Federal fund transfers, including contracts, to organizations described in Internal Revenue Code section 501(c)(4) who also engage in lobbying activities. Part of the rationale for this amendment was that those organizations should not simultaneously enjoy the benefits of exemption from taxation, unlimited expenditures on lobbying, and Federal funding support.

However, learning of a quirk in the legislative history of 501(c)(4) organizations, we found that many insurance companies are still technically organized as 501(c)(4) organizations, even though they are now fully taxable. Many of these, along with other health care providers that are also 501(c)(4) organizations, handle Federal contracts under Medicare, the Federal employees health system, and CHAMPUS. We believe that our colleagues would concur that such groups lie outside the scope of the intended reach of a cutoff of grant money to organizations which enjoy the benefits of 501(c)(4) status.

It is for this reason that we redrafted our amendment, during consideration of the Treasury-Postal appropriations bill, to correct for this and to exclude contracts from the prohibition on Federal funding assistance. That amendment passed the Senate by voice vote on July 24 of this year.

The third version of this provision to pass the Senate was included in a broader version of grants reform, which was the Simpson-Craig amendment to the provision authored by Representatives ISTOOK, MCINTOSH, and EHRLICH that the House had included in House Joint Resolution 115, the second FY

1996 continuing resolution. In the language in that amendment affecting 501(c)(4) organizations, we also took out the ban on contracts and other forms of funding, other than grants.

Mr. CRAIG. Senator SIMPSON has pointed out the important fact that versions of the Simpson-Craig lobbying reform amendment have been approved by the Senate three times this year. I commend Senator SIMPSON on his leadership in this area and am happy that the Simpson-Craig amendment, along with the rest of the lobbying reform bill, is on the verge of being signed into law.

The first version of our amendment, added to S. 1060, had a scope and impact on some insurance and health care providers, uniquely classified as 501(c)(4) organizations, that the authors and the Senate never intended. This problem was corrected in the second and third versions of the Simpson-Craig amendment. Therefore, the Senate twice approved the very change in our 501(c)(4) organizations language that we are proposing again today.

For reasons totally unrelated to this change, the House of Representatives struck the second and third, perfected, Simpson-Craig lobbying reform amendments from the Treasury-Postal bill and the continuing resolution. The House was seeking, instead, to promote its broader Istook-McIntosh-Ehrlich language. However, even in that House language, 501(c)(4) organizations were never barred from receiving contracts.

So, Madam President, the intent of the Senate is clear throughout the evolution of floor votes on three bills, and the intent of the House is clear in two floor votes on a related provision. Neither body intends that all 501(c)(4) organizations who lobby should be barred from receiving Federal contracts. But because the earliest version of either body's position on lobbying and grant reform was the one preserved in S. 1060 as cleared by the House, the clear intent of both bodies on 501(c)(4) organizations is not reflected in that bill.

That is all we are proposing in our technical amendment today, that this technical corrections resolution adjust S. 1060 to reflect the clear intent of both the Senate and the House, as expressed in the relevant votes taken in both bodies.

Mr. SIMPSON. The Senator from Idaho [Mr. CRAIG] is correct. While we are pleased that the House passed lobbying reform legislation with the original Simpson-Craig language intact, we also believe that Congress would want to take the opportunity, in the form of this technical corrections resolution, to acknowledge the unique status of certain 501(c)(4) organizations, as we did in our redrafted amendment to the Treasury-Postal appropriations bill and the second continuing resolution. We therefore submit our amendment to eliminate the terms "contracts" and "any other form" to the Senate, trusting that the correcting language will more closely conform to the intentions

of the Congress in passing our original amendment.

Mr. CRAIG. There is one additional provision in our amendment, at the request of the bill's managers, to simplify and expedite the process of handling this resolution. This provision would correct, in section 12(b)(1) of the bill, a cross-reference to the definition for representation of a foreign entity. This same change was already made in section 12(c), and the change in section 12(b)(1) simply makes it consistent and correct, clerically.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3098) was agreed to.

Mr. BROWN. I ask unanimous consent that the concurrent resolution be considered and agreed to, as amended, and the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution (H. Con. Res. 116), as amended, was agreed to.

CORRECTION OF ENROLLMENT OF S. 1060

Mr. FORD. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Concurrent Resolution 36, a concurrent resolution introduced earlier today by Senator LEVIN; that the resolution be read and adopted; that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution (S. Con. Res. 36) was agreed to, as follows:

S. CON. RES. 36

Resolved by the Senate (the House of Representatives concurring). That in the enrollment of the bill S. 1060, to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 6(8), strike "6" and insert "7".

(2) In section 9(7), insert "and" after the semicolon, in section 9(8), strike "; and" and insert a period, and strike paragraph (9) of section 9.

(3) In section 12(c), strike "7" and insert "6".

(4) In section 15(a)(2), strike "8" and insert "7".

(5) In section 15(b)(1), strike ", 5(a)(2)," and in section 15(b)(2), strike "8" and insert "7".

(6) In section 24(b), strike "13, 14, 15, and 16" and insert "9, 10, 11, and 12".

(7) In section 12(b)(1), strike "7" and insert in lieu thereof "6".

AMENDING THE CLEAN AIR ACT

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 325 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 325) to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles traveled in ozone nonattainment areas designated as severe, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BAUCUS. Madam President, H.R. 325 is a short, simple bill that seeks to maintain our clean air standards while giving States greater flexibility in how they achieve them. It does this by removing the requirement that the 14 cities in 11 States with severely polluted air devise a program to reduce work-related travel by employees. But the bill reaffirms that those cities must still meet the health-based air quality standards contained in the Clean Air Act. Thus, these cities can now develop alternative methods to achieve the goal of cleaner, healthier air.

This is a narrow bill that responds to a particular problem by granting States greater flexibility while, at the same time, maintaining progress toward improving our Nation's air quality. I support both those efforts. Over the years we have learned that clean air will not be ours without careful vigilance.

There are some in Congress who would turn back the clock on our efforts to protect air quality. Those same people say we have gone overboard. That the health-based standards contained in the Clean Air Act are too difficult to achieve. That the time has come when we must relax the laws and regulations that have been responsible for improving our air quality.

Well, I disagree. And the American people disagree. The Clean Air Act has successfully delivered on its promises. Let me cite some examples.

In the 5 years since passage of the Clean Air Act Amendments of 1990, over half of the cities that did not then meet the air quality standard for urban smog now meet that standard.

Over three-quarters of the cities that did not meet the air quality standard for carbon monoxide in 1990 now meet that standard.

Emissions of toxic air pollutants have been reduced by 1.6 billion pounds per year, more than six times the reductions achieved in the first 20 years under the original Clean Air Act.

Sulphur dioxide emissions, the principal cause of acid rain, have been reduced by 2.6 million tons since 1990.

And U.S. production of chemicals that deplete the stratospheric ozone layer has been reduced by over 90 percent since 1990.

Despite these successes, we cannot rest on them. Nearly two-thirds of American sampled in a poll this past

summer believed that our current air pollution control laws are not strict enough.

So we must not weaken our resolve to achieve clean air. Nor can we put the special interests of some ahead of the public interest. Where we can work together to develop better, more efficient and more effective ways of achieving our environmental goals, we should. That is what this bill does, and it is why I support it. But where there are efforts to roll back our standards, to weaken the protection of human health and the environment, then we must stand firm against such changes.

Mr. SANTORUM. Madam President, I rise to support the passage of H.R. 325, which was received from the House of Representatives this afternoon. As the original Senate sponsor of this bipartisan legislation, I commend the distinguished chairman of the Environment and Public Works Committee for his support and prompt assistance in obtaining unanimous consent to take up and pass this measure.

H.R. 325 repeals a costly and bureaucratic mandate, known as the Employee Trip Reduction Program [ETRP], which was imposed as part of the Clean Air Act Amendments of 1990. Under the law, States are responsible for establishing the program in regions considered to be in severe nonattainment for certain air pollutants. Individual employers in these areas must develop plans to show how their employees will curb automobile use. Although this program was initially viewed as a means of encouraging ride-sharing and mass transportation in areas with severe air quality problems, it has proven very complicated and expensive to implement.

Some studies have set the cost of ETRP as high as \$1,000 per employee annually, and the Environmental Protection Agency projected that it might cost employers \$1.2 to \$1.4 billion nationwide. When Congressional Research Service looked at this requirement, the report's authors estimated that ETRP would only reduce volatile organic compounds by 0.5 to 0.8 percent over current levels. Moreover, the failure to establish a plan and ensure employee compliance could expose businesses to fines as high as \$25,000 per day.

Although I have serious questions about whether ETRP can be implemented successfully, I must stress that this legislation does not remove the trip reduction program from the Clean Air Act entirely. Instead, it replaces the law's one-size-fits-all mandate with language making this program voluntary. In crafting this legislation, it was our specific goal to leave the trip reduction program in place as a tool for States to use in meeting their overall air quality goals. In this way, it would leave States the option of electing a car-pooling program when, and where, it will have the greatest benefits.

The measure was further amended in the House Commerce Committee to

make clear that states will still be responsible for achieving the pollution reductions allotted for the ETRP program, and I believe that this change will help to ensure that the environmental objectives of the Clean Air Act are not weakened.

The need for this measure is clear. In the Philadelphia metropolitan area, the looming threat of a forced car pooling program earlier this year sent hundreds of employers scrambling to establish ride-sharing programs. For some firms in the Center City area where mass transportation options are prevalent, such plans could be set up easily. Many companies in the surrounding counties or employers with irregular shifts, however, found that they could not meet the law's requirements without taking costly and extraordinary steps to restructure work schedules.

Thankfully, both the EPA and the Commonwealth of Pennsylvania shelved plans for implementing the ETRP before the law was to take effect. Nevertheless, the law itself has remained in place, exposing all involved to the possibility of legal action to enforce its requirements. Twice this year, Congress has passed legislation containing a prohibition on enforcement of the ETRP. By passing H.R. 325, we will achieve a small measure of common sense regulatory relief and finally close the books on this unnecessary mandate once and for all.

Again, I thank the chairman for his support of H.R. 325, and I look forward to seeing this measure signed into law quickly.

Mr. CHAFEE. Madam President, H.R. 325 makes amendments to the Clean Air Act to fix a provision that has not worked. The 1990 Amendments required each State with a severe ozone nonattainment problem to adopt measures that would increase vehicle occupancy rates during the rush hour. Businesses and other organizations employing more than 100 people in nine major metropolitan regions were expected to encourage carpooling and the use of mass transit to reduce the number of vehicles traveling to and from work each day.

This provision of the 1990 Amendments was modeled on a program that was being implemented in Los Angeles. As more and more employers have relocated to the deep suburbs where mass transit is impractical and have built large parking facilities for their workers, metropolitan areas have experienced a dramatic increase in the number of cars on the road and the distances that commuters travel to their jobs. This increase in trips and miles traveled has, to some extent, offset dramatic gains in emissions reduction that have been achieved through catalytic converters and other pollution control devices on automobiles. The employer trip reduction program was intended to address this troublesome side of the air quality problem.

But evidence accumulated since the 1990 Amendments were enacted indicates that ridesharing programs are not a cost-effective option in the short-term to control air pollution. The effort necessary to convince commuters to get out of their cars and into carpools or buses or trains is quite expensive compared to other steps that would achieve the same emissions reductions in the short-term. It may be that over a very long period, a requirement like this would convince major employers to make locational decisions that encourage the use of transit and other ridesharing options. But in the short-run, the emissions reductions achieved do not justify the great difficulties that would be experienced by the States and by employers to carry out the trip reduction program.

This requirement of the 1990 Clean Air Act Amendments has engendered much opposition in the legislatures of the several States that are subject to. EPA made it clear earlier this year that the Agency would not aggressively enforce the requirements. And even in Los Angeles, the program that served as a model for the 1990 federal program has been discontinued. All seem to agree that this is a measure that should not be mandated.

H.R. 325 does not entirely repeal the employer trip reduction program. It makes it voluntary with the States. It will remain as potential avenue for emissions reductions for the States that choose to use it. And the bill does not rollback the Clean Air Act in any sense. All States will continue to bear an obligation to achieve healthy air quality by the same deadlines that are currently in the law. The bill makes clear that States that choose not to carry out the trip reduction program must find equivalent emissions reductions from other sources.

Madam President, we have a responsibility to act quickly to fix Federal programs, such as this one, that have proved unworkable. So, I have urged that the Senate act on this bill immediately and send it to the President without further delay. I would note that the National Highway System bill that the President recently signed corrected problems with EPA regulations for the vehicle inspection and maintenance program under the Clean Air Act. Where legitimate problems with implementation of the Clean Air Act have been discovered, we are moving to correct them.

Mr. BROWN. Madam President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 325) was ordered to a third reading, was read the third time, and passed.

ROOSEVELT HISTORY MONTH

Mr. BROWN. Madam President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of Senate Resolution 75, a resolution proclaiming October 1996 as "Roosevelt History Month," and that the Senate proceed to its immediate consideration, that the resolution and preamble be agreed to en bloc, and that the motion to reconsider be laid on the table, that any statements relating thereto appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 75) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 75

Whereas January 30, 1995, is the 113th anniversary of the birth of President Franklin Delano Roosevelt in Hyde Park, New York;

Whereas almost a half-century after the death of President Roosevelt, his legacy remains central to the public life of the Nation;

Whereas before becoming President of the United States, Franklin Delano Roosevelt served in the New York State Senate and later was appointed Assistant Secretary of the Navy, and in 1928 became Governor of New York;

Whereas as President of the United States between 1933 and 1945, Franklin Delano Roosevelt guided the Nation through two of the greatest crises of the twentieth century, the Great Depression and the Second World War, and in so doing, changed the course of American politics;

Whereas a memorial in stone in the District of Columbia will soon be dedicated to his memory, as authorized by Congress in 1955; and

Whereas a month commemorating the history of Franklin Delano Roosevelt would complement the dedication of the memorial: Now, therefore, be it

Resolved, That October, 1996, should be designated "Roosevelt History Month". The President is requested to issue a proclamation calling on the people of the United States to observe the month with appropriate ceremonies and activities.

TITLE 18 UNIFORMITY ACT

Mr. BROWN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 242, S. 1331.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1331) to adjust and make uniform the dollar amounts used in title 18 to distinguish between grades of offenses, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Title 18 Uniformity Act of 1995".

SEC. 2. ADJUSTING AND MAKING UNIFORM THE DOLLAR AMOUNTS USED IN TITLE 18 TO DISTINGUISH BETWEEN GRADES OF OFFENSES.

(a) Sections 215, 288, 641, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 661, 662, 665, 872, 1003, 1025, 1163, 1361, 1707, 1711, and 2113 of title 18, United States Code, are amended by striking "\$100" each place it appears and inserting "\$1,000".

(b) Section 510 of title 18, United States Code, is amended by striking "\$500" and inserting "\$1,000".

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply to sentences imposed on or after the date of enactment of this Act.

Mr. BROWN. I ask unanimous consent the committee amendment be agreed to, the bill be considered read a third time and passed as amended, the motion to reconsider be laid upon the table, that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE NEXT PANCHEN LAMA

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar 266, S. J. Res. 43.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S. J. Res. 43) expressing the sense of the Congress regarding Wei Jingsheng; Gudhun Choekyi Nyima, the next Panchen Lama of Tibet; and the human rights practices of the Government of the People's Republic of China.

The PRESIDING OFFICER. Is there objection, to the immediate consideration of the joint resolution?

There being no objection the Senate proceeded to consider the bill.

Mr. HELMS. Madam President, citizens all over the world are protesting—and after all major Western countries have complained to the Chinese Government—about the mistreatment of a courageous Chinese citizen named Wei Jingsheng because Wei has spent most of his life trying to bring democracy and decent human rights to his 1.2 billion fellow Chinese citizens.

In return, the Chinese Government has sentenced him to another 14 years in a jail after a trial that lasted 6 hours and to which no officials representing the United States Government were allowed to attend.

The Wei Jingsheng trial follows on the heels of last week's Communist Chinese Government's announcement that for the first time in Tibetan history, Red China has selected a successor to the Panchen Lama, the second

highest-ranking official in Tibetan Buddhism, His Holiness the Dalai Lama being the No. 1, of course.

Madam President, these significant events deserve the attention of all Americans and other citizens around the world. Senate Joint Resolution 43 is a sense-of-the-Congress resolution objecting to the treatment of Wei Jingsheng, who, by the way, is known as the father of democracy in China. Senate Joint Resolution 43 expresses regret concerning the Chinese Government's decision to name its own Panchen Lama of Tibet for the first time in Tibetan history. The resolution calls upon the United States Government to sponsor, and aggressively push for, passage of a resolution at next spring's meeting of the U.N. Human Rights Commission condemning Red China's human rights record.

In drafting this resolution, I decided that it is important to highlight both the plight of Wei Jingsheng and the Chinese Government's invasion into the religious freedoms of the Tibetan people. Both issues—religious freedom and political freedom—are human rights issues and should therefore be linked.

This is not the first linkage of these two issues. In fact, when President Clinton and Jiang Zemin met in New York, it was emphasized to the Chinese leader that it is imperative for China to make progress on these two human rights issues. In fact, at that meeting, the Chinese were requested to give special attention to the fate of Wei Jingsheng, and of other political prisoners.

Did the Chinese believe that charging Wei Jingsheng with attempting to overthrow the government and sentencing him to 14 years in jail was what was when the United States specified special attention? Of course not; the Chinese actions are mere examples of the in-your-face attitude of the Beijing government.

Madam President, Senate passage of this resolution is vital. If the Senate fails to make a clear definitive statement protesting these actions, the Chinese will decide that the American people don't care.

That, of course, is simply not the case. If the U.S. Congress does not act now on Wei Jingsheng's behalf, we will be forfeiting the opportunity to make a difference.

I further understand the Clinton administration is to decide in the near future, whether the United States should support a China human rights resolution at the next meeting of the U.N. Human Rights Commission in Geneva. We have supported a China/human rights resolution for the past 3 years.

This year should not be different. I encourage the President to think long and hard about that decision. President Clinton has said over and over that the best way to pressure the Chinese on human rights issues is to pursue them in international arenas. The U.N. Human Rights Commission is an opportunity that should not be missed.

Some Senators maintain that quiet diplomacy will work better than a congressional resolution. I differ. Since July, the United States Congress, and effectively the United States Government, have engaged in quiet diplomacy and has shied away from strong statements about events in China. Look where those efforts have gotten us on issues about which we care deeply.

That brave young man fighting for democracy in Communist China and that poor 6-year-old boy and his parents who have disappeared because he was chosen as the next Panchen Lama of Tibet need our help.

I encourage Senators to support this resolution and say a prayer for all Chinese citizens who one day could be mistreated just as these young men have been.

Mr. THOMAS. Madam President, on Monday the distinguished chairman of the Foreign Relations Committee introduced Senate Joint Resolution 43 relative to two recent moves by the central government in the People's Republic of China which are of great concern to me as the chairman of the Subcommittee on East Asian and Pacific Affairs: the formal charging and trial yesterday of Chinese human rights activist Wei Jingsheng, and the selection by the central authorities in Beijing of a new Panchen Lama. I am an original cosponsor of that legislation, and rise today to express my full support for it.

Wei Jingsheng is known as the father of the PRC's modern democracy movement, and has spent a good deal of his adult life in prison as a result of his beliefs. Wei was first arrested in the spring of 1979 for allegedly "providing foreigners with confidential military information and engaging in activities which pose a threat to state security and designed to overthrow state power;" the fact that the "secrets" had been previously published in a widely-circulated government journal was apparently seen as immaterial. His true offense was participating in the "Democracy Wall Movement" by penning a work entitled "Diwu Xiandaihua—The Fifth Modernization." That piece argued that the Communist Party's "Four Modernizations" program—to modernize industry, agriculture, science/technology, and the armed forces—would be incomplete without a "fifth modernization:" democracy. In addition, he had circulated an article warning that Deng Xiaoping was developing Mao-like dictatorial tendencies. For this, he was sentenced to a loss of political rights for 3 years and 15 years in prison of which he served 14½ years.

As part of its bid to host the 2000 Olympics, the PRC released a number of political prisoners in a quid pro quo attempt to influence the choice of the selection committee. As a result, Wei was paroled in September 1993 but was kept under constant surveillance since that time. Upon his release he resumed his prodemocracy activities, writing articles and speaking with foreign journalists and government officials in support of democracy in China.

On April 1, 1994, just a few weeks after he had met with Assistant Secretary of State John Shattuck to discuss human rights in the PRC, Wei vanished. While it was known at the time that he had been arrested, no warrant had been issued for his arrest; no formal charges were instituted against him; members of his family were never notified of his arrest or subsequent whereabouts, and the authorities would not even confirm he was being held. Inquires as to his status from organizations and leaders outside of China were rebuffed.

On November 21, of this year, 20 months after first being arrested and held without charge, the Xinhua News Agency announced that Wei was being formally charged with "activities to overthrow the government." Although the exact nature of his "crimes" was left nebulous, the charge carries the death penalty in the PRC. The PRC, which seems to have learned a thing or two about public relations over the years, conveniently timed the announcement to occur after the completion of the recent APEC meetings in Osaka, Japan, and after the announcement of the 1995 Nobel Peace Prize for which Wei had been nominated; both events would have provided an uncomfortable forum for international criticism of the charges. Instead, they have until the next meeting of the U.N. Human Rights Commission in Geneva next March to try and convict Wei and the hope that any international uproar will die down.

A Xinhua report this last Sunday noted that Wei's trial would begin today (late yesterday, Beijing time) in the Beijing Intermediate People's Court. As of 48 hours before the trial was scheduled to begin, Wei's attorney—Zhang Sishi—had still not received written notice of the charges against his client, nor had he been allowed to meet with him. Although it has been announced that the trial will be—somewhat uncharacteristically—"open," that means only that some of Wei's family members may be allowed to attend along with other individuals picked by the government. Late yesterday, after a 6-hour trial, Wei was sentenced to a 14 year term of imprisonment.

I am deeply concerned with the use of the Chinese criminal code to silence those who peacefully advocate democratization and who exercise their rights to free speech. I am equally worried by the response, or should I say lack of response, from the Clinton administration. Candidate Clinton was long on talk about Republicans "coddling dictators," and how he would make human rights the foundation of his foreign policy. But as we have seen with so many other issues, he apparently did not mean what he said; as far as I can tell, that foundation is cracked. The Clinton administration has been slowly ceding ground on this issue with the Chinese since he took office. Instead of high-level reactions to

the Wei arrest and trial, I have seen only low-level, lukewarm, noncommittal expressions of concern from Foggy Bottom.

In 1986, in a speech urging his fellow party leaders to take a hard-line on domestic critics of the government, Deng Xiaoping used Wei as an example:

Didn't we arrest Wei Jingsheng? We arrested him and have not let him go, yet China's image has not suffered.

Whether Wei's predicament is to be a bargaining tool for the March U.N. meeting, or signals a shift towards the conservatives in the party hierarchy, President Clinton's lack of response at this time can only embolden China, and place at risk the freedom of others in the democracy movement such as student leader Wang Dan, activist Li Guotao, trade unionist Liu Nianchun, academician Yuan Hongbing and religious activist Xiao Biguang. All have disappeared in the last 2 years.

Turning to the issue of the Panchen Lama, it is a central belief in Tibetan Buddhism that certain deities take human form in the bodies of important lamas to lead believers toward enlightenment. It is believed that the souls of these lamas are reborn shortly after their deaths into the bodies of newborn infants in order to continue their task on earth. Known generically as tulku, the two most important of these lamas are the Dalai Lama, the temporal and spiritual head of Tibet, and the Panchen Lama. The Panchen Lama is believed to be a reincarnation of the Buddha Amitabha, the Buddha of Infinite Light. Because he wields the highest temporal as well as spiritual authority, the Dalai Lama is considered pre-eminent to the Panchen in the lamaist hierarchy.

Since the occupation of Tibet beginning in the late 1940's, the Chinese have sought to coopt the Panchen Lama in an attempt to counter the role and authority of the Dalai Lama. When the Chinese invaded Tibet and overthrew the legitimate government, the Dalai Lama fled to northern India where he established a Tibetan government-in-exile. The 10th Panchen Lama remained behind however, effectively becoming over the years the Vidkun Quisling of Tibet, assisting the Chinese in the "peaceful liberation" of Tibet. As reported in the November 11 edition of *Xzang Ribao*:

In March 1959, Tibet's upper-level reactionary clique launched a counter-revolutionary armed revolt in a vain attempt to undermine the motherland's unification. Great Master Panchen [the Panchen Lama] immediately cabled Chairman Mao and Premier Zhou [Enlai] to express his support for the State Council's order to dissolve the Tibetan local government and to quell the rebellion. At a rally held by people of all circles of Xigaze [Shigatse], he urged all monks, ordinary people, and patriotic people of Tibet to clearly distinguish right from wrong and good from evil, to draw a clear line between them and the reactionary clique, and, under the party's leadership, to unite in resolutely assisting the People's Liberation Army to quell the rebellion. Since September 1987, a small number of separatist elements have created

disturbances and made troubles in Lhasa, but the Great Master Panchen always maintained a firm stand, held high the banner of patriotism, and unequivocally and resolutely upheld the motherland's unification and national unity.

He became a member of the Chinese-installed Communist government, and regularly called on Tibetans to submit to the new order. In frequent statements he praised the new Communist government, and over the years gave legitimacy to the Chinese occupation. Although he apparently had a change of heart at the beginning of the Cultural Revolution, for which he was jailed for nearly a decade, after his rehabilitation in 1978 he continued to refuse to back calls for Tibetan independence.

Since the death of the Panchen Lama in January 1989, observers have expected a clash between the Tibetans and the Chinese over the choice of the lama's reincarnation. The reason is simple: this conflict is not simply some arcane religious tussle, but is part of the ongoing collision of interests over who really rules Tibet. For the first time, the Chinese were presented with the opportunity of hand-picking and shaping in their own political image from his youth a traditional leader of the Tibetan people. With the prospect of grooming a credible and more compliant alternative leader for the Tibetan people, few believed that the Chinese would acquiesce to the rightful authority of the Dalai Lama and Tibetan Buddhist hierarchy in the choice.

Soon after the Panchen's death, negotiations took place between the central government and the group charged with searching for his reincarnation, the monks of Tashilhunpo—"Mass of Glory"—Monastery in Shigatse, the traditional seat of the Panchen Lama. The compromise reached provided that the monks would look for the reincarnate lama only in China and Tibet, thus precluding a candidate being found among the Dalai Lama's Tibetan supporters in exile in India. In return, the monks were promised that they could use traditional procedures to select the reborn lama.

A committee of monks from the Tashilhunpo began to search for the reincarnate lama by consulting religious oracles and searching for omens in the reflective waters of a lake high in the Himalayas. The committee then visited children in villages around the country who were reported to have certain physical and mental indications of being reincarnate. The committee spent more than 5 years examining various candidates. As they finalized their choice, to the chagrin of the authorities in Beijing word was leaked from the search committee to the Dalai Lama of the identity of the candidates. This allowed the Dalai Lama, who the Chinese for the first time had excluded from his traditional role in the process, to act preemptively and announce on May 14 that the search committee had found the reincarnation of the Panchen Lama in the person of 6-year-old

Gedhun Chökyi Nyima in the Tibetan village of Nagchu, Lhari District, north of Lhasa.

Their loss of control over the process infuriated the Chinese, who denounced the proclamation in predictably Communist rhetoric. The government press labelled the Dalai Lama's action "splittist" and "illegal and invalid," and condemned him for "his vicious intention of disrupting Tibet's stability and undermining China's national unity through religious means."

Having been beaten to the punch by the Dalai Lama, the Chinese government attempted to regain the initiative. The Dalai Lama's candidate disappeared, and is said by authoritative sources to be held under house arrest in Beijing with his parents. Moreover, the Chinese launched an unprecedented media campaign to discredit the Dalai Lama and his choice, and to justify their brazen interference in the selection process. The complete irony of a secular atheist Communist government completely usurping such a purely religious issue as the choice of a reincarnated soul should be lost on no one. The Chinese have spent years attempting to destroy Tibetan Buddhism as a remnant of the "feudal, oppressive past," and as a competitor to Communism; it is, after all, a central tenant of Marxist-Leninist thought that religion is the opiate of the masses. Thousands of Buddhist monks and nuns have been arrested and imprisoned since the annexation of Tibet; thousands of monasteries and temples have been destroyed, and countless works of religious devotion such as statues have been melted down or shipped out of the country. Yet the government in Beijing has devoted a significant amount of press and other resources to the reincarnation question. The cover and many of the articles in a recent issue of the *Beijing Review* were devoted to it; countless articles have appeared in official party newspapers such as *Rénmin Ribáo*. For example, for over a week the front page of the party daily in Tibet, *Xzang Ribáo*, carried a lengthy and detailed series called "Questions and Answers Regarding the Reincarnated Child of the 10th Panchen."

The attacks have extended to the Dalai Lama himself. For example, a four-part series on Lhasa Tibet People's Radio Network broadcast over a period of 4 days vilified His Holiness and exposed his so-called "crimes." He has suffered similar attacks from Gyatsen Norbu, the Chairman of the Tibet Autonomous Regional People's Government, the Communist-controlled Executive Council of the Buddhist Association of China, and Pagbalha Geleg Namgyai, Chairman of the Tibet Autonomous Region Chinese People's Political Consultative Conference. The official media have also done everything to slander and tarnish the Dalai Lama's choice for Panchen, including accusing the boy's parents of having bad reputations among their

neighbors, and the boy of killing a dog by drowning it—an thoroughly un-Buddhist act.

The amount of coverage the issue has received in the communist media has reached the point of overkill, even for the Chinese press, and has risen to the level that it indicates that the government in Beijing believes that if they repeat something enough it will eventually become the truth. I am reminded of the line from Act III of Shakespeare's "Hamlet", which I paraphrase: "The government doth protest too much, methinks."

Coincident with the increase of official propaganda, the Chinese continued to try to regain control of the process. In September the Chinese ousted Chadrel Rinpoche—the head abbot of the Tashilhunpo Monastery and head of the search committee—and replaced him with their own candidate, Sengchen Lobsang Gyatsen. Chadrel Rinpoche is believed to be in detention with several other noncompliant monks from the monastery. Three new names for finalists—Gyaltzen Norbu of Nagchu, Tsering Wangdu of Nagchu, and Ngawang Namdrol of Lhasa—were then identified by the Chinese government, which announced that the finalist would be chosen by drawing lots from a golden urn, a procedure used once in 1792 by a Qing dynasty emperor. Chinese television showed State President Jiang Zemin meeting with the monks remaining on the committee, urging them to complete their work as soon as possible in order to "ensure stable development in Tibet."

On November 6, the Chinese government convened a meeting of senior lamas at the Jingxi Guest House in Beijing to finalize the selection process. On November 10, Li Ruihuan, a member of the Standing Committee of the Central Political Bureau and Chairman of the National Committee of the Chinese People's Consultative Conference, addressed the meeting and gave it its marching orders. At the end of November, the Chinese chose 6-year-old Gyaltzen Norbu as the 11th Panchen Lama; he was enthroned in Lhasa on December 8. In its haste to put the official imprimatur on the child, the Chinese brushed aside the several years of monastic training usually afforded a candidate before his enthronement. Senior monks were required to attend the ceremony at Lhasa's Jokhang Cathedral, and those supportive of the Dalai Lama and feigning illness in order to avoid attendance were warned on the consequences of such action. State Councilor Li Tieying oversaw the ceremony, delivering a message from Jiang Zemin for the boy to "safeguard the motherland and work in the interests of the people." In reply, the boy reportedly responded by "express[ing] his gratitude to the central government, President Jiang Zemin, Premier Li Peng, and representatives of the State Council * * * and saying that he loves the motherland [China] and the Tibetan religion."

The blatant interference in a purely religious Tibetan affair is of great concern. Without getting bogged down in a detailed and somewhat esoteric discussion of the historical precedents, let me just outline some of the objections to the Chinese position. First, it completely ignores the Dalai Lama's centuries-old right to participate actively in the choice of the Panchen Lama. By eschewing the Dalai Lama's traditional role, the Chinese are completely flouting the historical precedent they claim they are upholding. The confirmation of either the Dalai or Panchen Lama is not complete until mutually recognized by the other. Chinese scholars, whom the government is so fond of quoting, have previously reiterated this requirement. For example, Ya Hanzhang, in his *Biographies of the Tibetan Leaders Panchen Erdeni*, wrote:

By Tibetan tradition a reincarnation of the Panchen could not be religiously legal without the Dalai's recognition, and the same was the case with the Dalai.

Thus, the exclusion of the Dalai Lama renders the validity of Beijing's choice void ab initio.

Second, for the first time in history it puts the Chinese government in the place of the Dalai Lama. In the past, Beijing's role was one limited to nominal approval of the selection already made by the Tibetans. There existed a unique relationship between the high lamas of Tibet and the Chinese imperial court; it was called "priest-patron." The Chinese emperors looked to the lamas as spiritual advisers. In return for that advice, the Chinese offered gifts to the high lamas and military protection to the region. Therefore, any involvement by the Chinese in the choice of a Dalai or Panchen Lama during the Qing dynasty, under Emperors such as Kangxi and Qianlong, stemmed not from a desire to dictate the outcome from Beijing but because those Emperors were fervent followers of Tibetan Buddhism.

Mr. President, I can already predict with certainty the Chinese reaction to this joint resolution. The Foreign Ministry is sure to declare both issues solely within the purview of China's internal affairs which are, ipso facto, none of the rest of the world's business. In fact, in response to world criticism of the Wei arrest Shen Guofang, the Ministry spokesperson, has already stated:

The case of Wei Jingsheng is not a human rights affair. On the contrary, it is those people and organizations who try to interfere in China's judicial procedures that have actually violated international standards by interfering in China's internal affairs.

Rather than rehash this old human rights/internal affairs song and dance, then, let me take a new approach and give the PRC another reason why these issues are important to us and should, consequently, be important to them. The Chinese have made a great deal of noise lately about being allowed to assume their rightful place among important powers on the world stage, and have complained vociferously that the

West is unfairly trying to prevent them from that place.

I and several of my colleagues have tried to make it clear to Beijing that there is not some organized plot attempting to keep them from doing so. Rather, what we have emphasized to them is that a place at that particular table is not a right free for the taking, but a privilege which comes with it a panoply of responsibilities. Foremost among those is to adhere to international norms of conduct and to treaty and similar legal commitments.

If the PRC does not live up to its present commitments, then they can be sure that the rest of the world is going to be hesitant to enter into any others with it; and the problem is, they are not. Beijing says that it is fully living up to all its obligations. However, as the Chinese are fond of saying, words are fine but only if followed up by deeds. An examination of their deeds, unfortunately, shows that these do not match their words. In the case of Wei Jingsheng, the maximum amount of time a criminal suspect can be detained without charge is twelve months; yet he was held for over twenty. China is a signatory to the universal Declaration of Human Rights, yet the handling of Wei's case clearly violates Article III of that document. Finally, the language of the Xinhua announcement of the charges against Wei noted that his actions "were in violation of the criminal law and constituted crimes;" an article in the December 11 Beijing Review notes that his actions leading to this arrest "[were] in violation of the Criminal Law and constitute crimes." This, and the fact that his trial took only 6 hours, seems to me to indicate that his guilt had been determined long before his trial began. This presupposition of guilt also runs counter in international standards of justice.

As for the Panchen issue, the PRC's constitution guarantees freedom of religion and freedom from being discriminated against on the basis of religious belief. Yet thousands of Tibetans have been persecuted for their religious faith over the years. Moreover, Beijing's manipulation of the selection of the Panchen Lama is clear meddling in a purely religious issue for political gain, and violates the religious rights of believing Tibetans. Similarly, as Senator FEINSTEIN mentioned yesterday in a meeting of the full Foreign Relations Committee, she has been repeatedly assured over the years by officials in the highest levels of the Chinese Government that Tibet "is entitled to manage its own cultural and religious affairs." The actions regarding the Panchen Lama would seem to contradict that assertion.

Time and time again China calls into question its commitment to the rule of law and to international norms, whether it be in regards to agreements on intellectual property, the enforcement of international arbitration awards, or the proliferation of nuclear or other

weapons. The cases of Wei Jingsheng and the Panchen Lama are just two more unfortunate examples. If as a result the rest of the world is a bit reticent to enter into other agreements with the PRC—for example, the WTO agreement—for fear that the Chinese will continue to say one thing but do another, then before it points the finger of accusation at us for denying it its “rightful place” in the world, it should realize that it has no one to blame but itself.

I urge my colleagues to support Senate Joint Resolution 43, and thank the distinguished Chairman and ranking member of the Committee for their leadership on these important issues.

Mr. BROWN. I ask unanimous consent the joint resolution be deemed read a third time, passed, the amendment to the preamble be agreed to, the preamble as amended be agreed to, the motion to reconsider be laid upon the table, and that the statements relating to the resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (S.J. Res. 43) was deemed read the third time and passed.

The preamble, as amended, was agreed to.

The joint resolution, with its preamble, is as follows:

S.J. RES. 43

Whereas on November 21, 1995, the Government of the People's Republic of China formally arrested Wei Jingsheng, who is known internationally as the father of the democracy movement in China;

Whereas the Government of the People's Republic of China has held Wei Jingsheng incommunicado and without charge since April 1994 and has rebuffed international calls to release him;

Whereas Wei Jingsheng has spent all but 6 months of the last 16 years in detention because of this unwavering support for freedom of speech and the development of democracy in China;

Whereas at an October 1995 meeting in New York between President Clinton and President Jiang Zemin of China, the Administration urged the Government of the People's Republic of China to release political prisoners and specifically included Wei Jingsheng and others among such prisoners;

Whereas the treatment of Wei Jingsheng by the Government of the People's Republic of China raises concern over the future of other jailed dissidents in China, including Wang Dan, a student leader in the 1989 pro-democracy movement in China;

Whereas on May 14, 1995, His Holiness the Dalai Lama announced recognition of 6-year-old Gedhun Choekyi Nyima as the next Panchen Lama;

Whereas recognition of the successor to the Panchen Lama in Tibet has always been within the authority of the Dalai Lama;

Whereas for the first time in Tibetan history, the Government of the People's Republic of China has imposed on Tibet its own candidate for a new Panchen Lama and has rejected the new Panchen Lama selected by the Dalai Lama;

Whereas Gedhun Choekyi Nyima and his family have been missing for 6 months and are reported being held by authorities of the Government of the People's Republic of China;

Whereas Chatrel Rinpoche, who is the head of the original search committee for the new Panchen Lama and who refused to denounce the Dalai Lama's selection of the new Panchen Lama, is also missing and believed to be held by authorities of the Government of the People's Republic of China;

Whereas the Panchen Lama is one of the highest-ranking religious official of Tibetan Buddhism;

Whereas the rejection of the Dalai Lama's selection of Panchen Lama by the Government of the People's Republic of China, and the selection of its own candidate for Panchen Lama, is seen by many Tibetans as politicizing a purely religious affair and as a violation of fundamental Tibetan human rights;

Whereas since the invasion of Tibet in 1949, the Government of the People's Republic of China has taken any expression by the Tibetan people of their distinct religious or cultural identity as a direct challenge to that government's political control of Tibet;

Whereas Chinese officials have repeatedly maintained that the Tibet Autonomous Region is entitled to manage its own cultural and religious affairs, and the intervention of Chinese government authorities in the selection of the next Panchen Lama is a clear violation of that principle;

Whereas for 3 consecutive years, the United States has been a primary sponsor of resolutions criticizing the human rights practices of the Government of the People's Republic of China in China and Tibet at the annual meetings of the United Nations Human Rights Commission in Geneva;

Whereas these resolutions call upon the Government of the People's Republic of China to take measures to ensure the observance of all human rights, invite that government to cooperate with all special rapporteurs and working groups, and request the Secretary General of the United Nations to prepare a report for the United Nations Human Rights Commission on the human rights situation in China and Tibet;

Whereas at the March 1995 meeting of the United Nations Human Rights Commission in Geneva, the resolution lost by only 1 vote;

Whereas it is important to maintain international pressure on the Government of the People's Republic of China in order to induce that government to respect internationally-recognized standards of human rights; and

Whereas in May 1994, the President of the United States pledged strong support for efforts at international forums to criticize the human rights practices of the Government of the People's Republic of China: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Government should—

(1) press for the immediate and unconditional release of Wei Jingsheng and other political prisoners by the Government of the People's Republic of China;

(2) urge the Government of the People's Republic of China to respect the wishes of the Tibetan people by supporting the selection of the new Panchen Lama by His Holiness the Dalai Lama;

(3) work to ensure the safety of the new Panchen Lama as selected by the Dalai Lama; and

(4) sponsor and aggressively push for the passage of a resolution regarding the human rights situation in China at the annual meeting of the United Nations Human Rights Commission in Geneva scheduled for March 1996.

The PRESIDING OFFICER. The Senator from Kentucky.

MEASURE READ FOR THE FIRST TIME—S. 1472

Mr. FORD. Madam President, I understand that S. 1472, Federal Judges for the Middle and Eastern Districts of Louisiana, introduced earlier today by Senator BREAU, is at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. FORD. Madam President, I ask for the first reading.

The PRESIDING OFFICER. The clerk will read the bill.

The assistant legislative clerk read as follows:

A bill (S. 1472) to provide for one additional Federal judge for the Middle and Eastern Districts of Louisiana and one less Federal Judge for the Eastern District of Louisiana.

Mr. FORD. Madam President, I ask for the second reading.

Mr. BROWN. I object.

The PRESIDING OFFICER. Objection is heard. The bill will lay over and will receive its second reading on the next legislative day.

AU PAIR PROGRAMS EXTENSION

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 267, S. 1465.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1465) to extend au pair programs.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3099

(Purpose: To extend au pair programs through fiscal year 1997)

Mr. BROWN. Madam President, I send an amendment to the desk for Senator HELMS and Senator DODD, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado (Mr. BROWN), for Mr. HELMS, for himself and Mr. DODD, proposes an amendment numbered 3099.

Mr. BROWN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On line 9, strike “1999” and replace with “1997.”

On page 2, line 1, strike “1998” and replace with “1996.”

Mr. BROWN. Madam President, I ask unanimous consent that the amendment be agreed to, that the bill be deemed read a third time, passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3099) was agreed to.

So the bill (S. 1465), as amended, was deemed read for the third time, and passed, as follows:

S. 1465

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AU PAIR PROGRAMS.

(a) REPEAL.—Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454) is repealed.

(b) AUTHORITY FOR AU PAIR PROGRAMS.—The Director of the United States Information Agency is authorized to continue to administer an au pair program, operating on a world-wide basis, through fiscal year 1997.

(c) REPORT.—Not later than October 1, 1996, the Director of the United States Information Agency shall submit a report regarding the continued extension of au pair programs to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives. This report shall specifically detail the compliance of all au pair organizations with regulations governing au pair programs as published on February 15, 1995.

ANTICOUNTERFEITING CONSUMER PROTECTION ACT

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 250, S. 1136.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1136) to control and prevent commercial counterfeiting, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the part of the bill intended to be inserted are shown in italic.)

S. 1136

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Anticounterfeiting Consumer Protection Act of 1995".

SEC. 2. FINDINGS.

The counterfeiting of trademarked and copyrighted merchandise—

(1) has been connected with organized crime;

(2) deprives legitimate trademark and copyright owners of substantial revenues and consumer goodwill;

(3) poses health and safety threats to American consumers;

(4) eliminates American jobs; and

(5) is a multibillion-dollar drain on the United States economy.

SEC. 3. COUNTERFEITING AS RACKETEERING.

Section 1961(1)(B) of title 18, United States Code, is amended by inserting ", section 2318 (relating to trafficking in counterfeit labels

for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 (relating to criminal infringement of a copyright), section 2320 (relating to trafficking in goods or services bearing counterfeit marks)" after "sections 2314 and 2315 (relating to interstate transportation of stolen property)".

SEC. 4. APPLICATION TO COMPUTER PROGRAMS, COMPUTER PROGRAM DOCUMENTATION, OR PACKAGING.

Section 2318 of title 18, United States Code, is amended—

(1) in subsection (a), by inserting "a computer program or computer program documentation or packaging or" after "copy of";

(2) in subsection (b)(3), by inserting "computer program," after "motion picture,"; and

(3) in subsection (c)(3), by inserting "a copy of a computer program or computer program documentation or packaging," after "enclose,".

SEC. 5. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.

Section 2320 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(e) Beginning with the first year after the date of enactment of this subsection, the Attorney General shall include in the report of the Attorney General to Congress on the business of the Department of Justice prepared pursuant to section 522 of title 28, on a district by district basis, for all actions involving trafficking in counterfeit labels for phonorecords, copies of computer programs or computer program documentation or packaging, copies of motion pictures or other audiovisual works (as defined in section 2318 of title 18), criminal infringement of copyrights (as defined in section 2319 of title 18), or trafficking in goods or services bearing counterfeit marks (as defined in section 2320 of title 18, an accounting of—

"(1) the number of open investigations;

"(2) the number of cases referred by the United States Customs Service;

"(3) the number of cases referred by other agencies or sources; and

"(4) the number and outcome, including settlements, sentences, recoveries, and penalties, of all prosecutions brought under sections 2318, 2319, and 2320 of title 18."

SEC. 6. SEIZURE OF COUNTERFEIT GOODS.

Section 34(d)(9) of the Act of July 5, 1946 (60 Stat. 427, chapter 540; 15 U.S.C. 1116(d)(9)), is amended by striking the first sentence and inserting the following: "The court shall order that service of a copy of the order under this subsection shall be made by a Federal law enforcement officer (such as a United States marshal or an officer or agent of the United States Customs Service, Secret Service, Federal Bureau of Investigation, or Post Office) or may be made by a State or local law enforcement officer, who, upon making service, shall carry out the seizure under the order."

SEC. 7. RECOVERY FOR VIOLATION OF RIGHTS.

Section 35 of the Act of July 5, 1946 (60 Stat. 427, chapter 540; 15 U.S.C. 1117), is amended by adding at the end the following new subsection:

"(c) In a case involving the use of a counterfeit mark (as defined in section 34(d) (15 U.S.C. 1116(d)) in connection with the sale, offering for sale, or distribution of goods or services, the plaintiff may elect, at any time before final judgment is rendered by the trial court, to recover, instead of actual damages and profits under subsection (a), an award of statutory damages for any such use in the amount of—

"(1) not less than \$500 or more than \$100,000 per counterfeit mark per type of goods or

services sold, offered for sale, or distributed, as the court considers just; or

"(2) if the court finds that the use of the counterfeit mark was willful, not more than \$1,000,000 per counterfeit mark per type of goods or services sold, offered for sale, or distributed, as the court considers just."

SEC. 8. DISPOSITION OF EXCLUDED ARTICLES.

Section 603(c) of title 17, United States Code, is amended in the second sentence by striking "as the case may be;" and all that follows through the end and inserting "as the case may be."

SEC. 9. DISPOSITION OF MERCHANDISE BEARING AMERICAN TRADEMARK.

Section 526(e) of the Tariff Act of 1930 (19 U.S.C. 1526(e)) is amended—

(1) in the second sentence, by inserting "destroy the merchandise. Alternatively, if the merchandise is not unsafe or a hazard to health, and the Secretary has the consent of the trademark owner, the Secretary may" after "shall, after forfeiture,";

(2) by inserting "or" at the end of paragraph (2);

(3) by striking ", or" at the end of paragraph (3) and inserting a period; and

(4) by striking paragraph (4).

SEC. 10. CIVIL PENALTIES.

Section 526 of the Tariff Act of 1930 (19 U.S.C. 1526) is amended by adding at the end the following new subsection:

"(f)(1) Any person who directs, assists financially or otherwise, or [is in any way concerned in] *aids and abets* the importation of merchandise for sale or public distribution that is seized under subsection (e) shall be subject to a civil fine.

"(2) For the first such seizure, the fine shall be [equal to] *not more than* the value that the merchandise would have had if it were genuine, according to the manufacturer's suggested retail price, determined under regulations promulgated by the Secretary.

"(3) For the second seizure and thereafter, the fine shall be [equal to] *not more than* twice the value that the merchandise would have had if it were genuine, as determined under regulations promulgated by the Secretary.

"(4) The imposition of a fine under this subsection shall be within the discretion of the United States Customs Service, and shall be in addition to any other civil or criminal penalty or other remedy authorized by law."

SEC. 11. PUBLIC DISCLOSURE OF AIRCRAFT MANIFESTS.

Section 431(c)(1) of the Tariff Act of 1930 (19 U.S.C. 1431(c)(1)) is amended—

(1) in the matter preceding subparagraph (A), by inserting "vessel or aircraft" before "manifest";

(2) by amending subparagraph (D) to read as follows:

"(D) The name of the vessel, aircraft, or carrier,";

(3) by amending subparagraph (E) to read as follows:

"(E) The seaport or airport of loading,"; and

(4) by amending subparagraph (F) to read as follows:

"(F) The seaport or airport of discharge."

SEC. 12. CUSTOMS ENTRY DOCUMENTATION.

Section 484(d) of the Tariff Act of 1930 (19 U.S.C. 1484(d)) is amended—

(1) by striking "Entries" and inserting "(1) Entries"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary, in prescribing regulations governing the content of entry documentation, shall require that entry documentation contain such information as may be necessary to determine whether the imported merchandise bears an infringing trademark in violation of section 42 of the

Act of July 5, 1946 (60 Stat. 440, chapter 540; 15 U.S.C. 1124) or any other applicable law, including a trademark appearing on the goods or packaging.”.

SEC. 13. UNLAWFUL USE OF VESSELS, VEHICLES, AND AIRCRAFT IN AID OF COMMERCIAL COUNTERFEITING.

Section 80302(a) of title 49, United States Code, is amended—

(1) by striking “or” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “; or”; and

(3) by adding at the end the following new paragraph:

“(6)(A) A counterfeit label for a phonorecord, computer program or computer program documentation or packaging or copy of a motion picture or other audiovisual work (as defined in section 2318 of title 18);

“(B) a phonorecord or copy in violation of section 2319 of title 18; or

“(C) any good bearing a counterfeit mark (as defined in section 2320 of title 18).”.

SEC. 14. REGULATIONS.

Not later than 6 months after the date of enactment of this Act, the Secretary of the Treasury shall prescribe such regulations or amendments to existing regulations that may be necessary to implement and enforce this Act.

Mr. BROWN. Madam President, I ask unanimous consent that the committee amendments be agreed to, the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the committee amendments were agreed to.

The bill (S. 1136), as amended, was deemed read for the third time, and passed, as follows:

S. 1136

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Anticounterfeiting Consumer Protection Act of 1995”.

SEC. 2. FINDINGS.

The counterfeiting of trademarked and copyrighted merchandise—

(1) has been connected with organized crime;

(2) deprives legitimate trademark and copyright owners of substantial revenues and consumer goodwill;

(3) poses health and safety threats to American consumers;

(4) eliminates American jobs; and

(5) is a multibillion-dollar drain on the United States economy.

SEC. 3. COUNTERFEITING AS RACKETEERING.

Section 1961(1)(B) of title 18, United States Code, is amended by inserting “, section 2318 (relating to trafficking in counterfeit labels for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 (relating to criminal infringement of a copyright), section 2320 (relating to trafficking in goods or services bearing counterfeit marks)” after “sections 2314 and 2315 (relating to interstate transportation of stolen property)”.

SEC. 4. APPLICATION TO COMPUTER PROGRAMS, COMPUTER PROGRAM DOCUMENTATION, OR PACKAGING.

Section 2318 of title 18, United States Code, is amended—

(1) in subsection (a), by inserting “a computer program or computer program documentation or packaging or” after “copy of”; (2) in subsection (b)(3), by inserting “computer program,” after “motion picture,”; and

(3) in subsection (c)(3), by inserting “a copy of a computer program or computer program documentation or packaging,” after “enclose,”.

SEC. 5. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.

Section 2320 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(e) Beginning with the first year after the date of enactment of this subsection, the Attorney General shall include in the report of the Attorney General to Congress on the business of the Department of Justice prepared pursuant to section 522 of title 28, on a district by district basis, for all actions involving trafficking in counterfeit labels for phonorecords, copies of computer programs or computer program documentation or packaging, copies of motion pictures or other audiovisual works (as defined in section 2318 of title 18), criminal infringement of copyrights (as defined in section 2319 of title 18), or trafficking in goods or services bearing counterfeit marks (as defined in section 2320 of title 18, an accounting of—

“(1) the number of open investigations;

“(2) the number of cases referred by the United States Customs Service;

“(3) the number of cases referred by other agencies or sources; and

“(4) the number and outcome, including settlements, sentences, recoveries, and penalties, of all prosecutions brought under sections 2318, 2319, and 2320 of title 18.”.

SEC. 6. SEIZURE OF COUNTERFEIT GOODS.

Section 34(d)(9) of the Act of July 5, 1946 (60 Stat. 427, chapter 540; 15 U.S.C. 1116(d)(9)), is amended by striking the first sentence and inserting the following: “The court shall order that service of a copy of the order under this subsection shall be made by a Federal law enforcement officer (such as a United States marshal or an officer or agent of the United States Customs Service, Secret Service, Federal Bureau of Investigation, or Post Office) or may be made by a State or local law enforcement officer, who, upon making service, shall carry out the seizure under the order.”.

SEC. 7. RECOVERY FOR VIOLATION OF RIGHTS.

Section 35 of the Act of July 5, 1946 (60 Stat. 427, chapter 540; 15 U.S.C. 1117), is amended by adding at the end the following new subsection:

“(c) In a case involving the use of a counterfeit mark (as defined in section 34(d) (15 U.S.C. 1116(d)) in connection with the sale, offering for sale, or distribution of goods or services, the plaintiff may elect, at any time before final judgment is rendered by the trial court, to recover, instead of actual damages and profits under subsection (a), an award of statutory damages for any such use in the amount of—

“(1) not less than \$500 or more than \$100,000 per counterfeit mark per type of goods or services sold, offered for sale, or distributed, as the court considers just; or

“(2) if the court finds that the use of the counterfeit mark was willful, not more than \$1,000,000 per counterfeit mark per type of goods or services sold, offered for sale, or distributed, as the court considers just.”.

SEC. 8. DISPOSITION OF EXCLUDED ARTICLES.

Section 603(c) of title 17, United States Code, is amended in the second sentence by striking “as the case may be;” and all that follows through the end and inserting “as the case may be.”.

SEC. 9. DISPOSITION OF MERCHANDISE BEARING AMERICAN TRADEMARK.

Section 526(e) of the Tariff Act of 1930 (19 U.S.C. 1526(e)) is amended—

(1) in the second sentence, by inserting “destroy the merchandise. Alternatively, if the merchandise is not unsafe or a hazard to health, and the Secretary has the consent of the trademark owner, the Secretary may” after “shall, after forfeiture,”;

(2) by inserting “or” at the end of paragraph (2);

(3) by striking “, or” at the end of paragraph (3) and inserting a period; and

(4) by striking paragraph (4).

SEC. 10. CIVIL PENALTIES.

Section 526 of the Tariff Act of 1930 (19 U.S.C. 1526) is amended by adding at the end the following new subsection:

“(f)(1) Any person who directs, assists financially or otherwise, or aids and abets the importation of merchandise for sale or public distribution that is seized under subsection (e) shall be subject to a civil fine.

“(2) For the first such seizure, the fine shall be not more than the value that the merchandise would have had if it were genuine, according to the manufacturer’s suggested retail price, determined under regulations promulgated by the Secretary.

“(3) For the second seizure and thereafter, the fine shall be not more than twice the value that the merchandise would have had if it were genuine, as determined under regulations promulgated by the Secretary.

“(4) The imposition of a fine under this subsection shall be within the discretion of the United States Customs Service, and shall be in addition to any other civil or criminal penalty or other remedy authorized by law.”.

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Section 431(c)(1) of the Tariff Act of 1930 (19 U.S.C. 1431(c)(1)) is amended—

(1) in the matter preceding subparagraph (A), by inserting “vessel or aircraft” before “manifest”;

(2) by amending subparagraph (D) to read as follows:

“(D) The name of the vessel, aircraft, or carrier.”;

(3) by amending subparagraph (E) to read as follows:

“(E) The seaport or airport of loading.”; and

(4) by amending subparagraph (F) to read as follows:

“(F) The seaport or airport of discharge.”.

SEC. 12. CUSTOMS ENTRY DOCUMENTATION.

Section 484(d) of the Tariff Act of 1930 (19 U.S.C. 1484(d)) is amended—

(1) by striking “Entries” and inserting “(1) Entries”; and

(2) by adding at the end the following new paragraph:

“(2) The Secretary, in prescribing regulations governing the content of entry documentation, shall require that entry documentation contain such information as may be necessary to determine whether the imported merchandise bears an infringing trademark in violation of section 42 of the Act of July 5, 1946 (60 Stat. 440, chapter 540; 15 U.S.C. 1124) or any other applicable law, including a trademark appearing on the goods or packaging.”.

SEC. 13. UNLAWFUL USE OF VESSELS, VEHICLES, AND AIRCRAFT IN AID OF COMMERCIAL COUNTERFEITING.

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(1) by striking “or” at the end of paragraph (4);

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“(B) a phonorecord or copy in violation of section 2319 of title 18; or

“(C) any good bearing a counterfeit mark (as defined in section 2320 of title 18).”.

SEC. 14. REGULATIONS.

Not later than 6 months after the date of enactment of this Act, the Secretary of the Treasury shall prescribe such regulations or amendments to existing regulations that may be necessary to implement and enforce this Act.

Mr. BROWN. The distinguished Senator from Kentucky has been so cooperative, I wonder if he might agree to the balanced budget by unanimous consent at this time.

Mr. FORD. Madam President, there is always euphoria at times around here, and we usually have to put the needle into the balloon, and I will just do that now. [Laughter.]

Mr. BROWN. I had hoped the Senator, for the sake of the Christmas spirit, might be willing to go along.

Mr. FORD. The Senator from Kentucky has a lot of spirit, Senator.

Mr. BROWN. I know. But you charge for that.

Mr. FORD. That is right—for you, double. [Laughter.]

Mr. BROWN. We will want to assure the Senator that we will give him another chance.

Mr. FORD. I always look forward to another chance. At 72, I have had second chances for a long time.